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**REGULAR MEETING #701
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES
REGULAR MEETING 6:30 PM
Tuesday, December 19th, 2023
OPEN TO THE PUBLIC**

1. CALL TO ORDER

District Manager Russell called the regular 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, Lurner and Misher
Staff: Manager Russell, Karen Morris, Police Officer Williams
Absent: Jenkins
Agents: Rigo Garcia, Election Canvass Board Supervisor
Contractors/Consultants: Robert Stabenow, Allied Universal Security
Guest Speakers: None

4. PUBLIC COMMENTS

Homeowner Phil Dohrman inquired on when the beachfront armoring work will be done so the road and parking area can be cleaned and repaired. Mr. Dohrman also pointed out the loose manhole cover by his house needs to be repositioned to stop the rattling when cars drive over it. Manager Russell stated the contractor was scheduled to pick up his heavy equipment yesterday but hasn't done so yet. The contractor will be contacted tomorrow as well as the Water District for the loose manhole cover.

5. APPROVAL OF MINUTES

a. Meeting #700 of November 14th, 2023

Motion was made by Board Pres. McNulty, seconded by Director Misher and approved by a vote of 4-0, to accept the minutes of meeting #700 of November 14th, 2023.

6. PARCEL TAX VOTE COUNT/UNOFFICIAL RESULTS

a. Count ballots and announce temporary results

Manager Russell explained that the ballot count is unofficial until Friday to allow time for late ballots to arrive in the mail. At that time any late ballots will be tabulated and a certified report of the final vote count will be sent to the District. Tonight's unofficial vote count is as follows:

	Votes	Percent	
YES	61	71.76%	(parcel tax measure requires 67% to pass)
NO	24	28.24%	

7. SECURITY

a. Monthly Security/Police Report – November 2023

Supervisor Stabenow reviewed the past month of security activity. Of special note was an incident at a short term rental where an alcohol-related fist fight broke out among two male adults. 911 was called – seven police units, one firetruck, a paramedic unit and an ambulance responded. Otherwise, it was a quiet month. The three new security guard replacements are working out and just need a bit more time

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on duty to absorb all the unique and site specific details required for posting here at Beach Road. Also reported was the status of the three outgoing officers:

- one reassigned due to poor performance
- one reassigned to work closer to home
- one promoted to a supervisory position at another post

Director Lurner made the point that we shouldn't be the training center for the security contractor. Manager Russell explained that it's not often we lose an officer due to promotion and we could possibly prevent this by increasing that individual's pay to retain them but it's not in the budget and it would cause a wrinkle in the overall good morale at this post to have one officer earning at a higher wage than his/her peers. 99% of our turnover is due to poor performance – reassignments due to promotions is very infrequent.

8. SHORELINE ADVISORY COMMITTEE

a. Coastal Resiliency Plan

Manager Russell explained that the term 'Coastal Resiliency' includes both sand replenishment and sand retention. Sand will not remain in place without a combination of offshore submerged reefs and small rock jetties placed perpendicular to the beach, called groins. Such a beach nourishment concept is not new but the CCC is strongly opposed to this. Thus, it's going to be a very long battle but the regional thinking is beginning to change and the Committee has prepared a draft plan to be an active participant and to monitor the movement and progress by all the regional stakeholders.

9. FINANCE

a. Monthly Expense Report

The expense report through November 2023 was received and filed with no comments.

b. Investment Opportunities

The District's options for investing its idle reserves are as follows:

- T Bills and some Money Market programs at 5%
- Private firm investment program at 4.5%
- LAIF (Local Agency Investment Fund) at 3.5%

Staff expects to meet with the Board in mid-January to present the options currently being reviewed.

c. Review/Approval – Annual Financial Audit for FY23

After two weeks of reviewing of the annual financial audit with the Auditor, Rogers Anderson Malody & Scott, the Board took the following action:

MOTION was made by Director Wiersig, seconded by Board Pres. McNulty and passed 4-0-1 (Jenkins absent) to approve the final draft of the annual financial audit for fiscal year ending June 2023.

10. NEW BUSINESS

a. Proposed Flat Tire Compensation

Manager Russell proposed a reimbursement program for homeowners who have received tire damage from nails and screws in the roadway at the various construction and remodeling sites on the Road. The proposal would use money from the Development Impact Fee fund. From January to December of this year there have only been two homeowners with reported tire damage so this is not expected to become a huge expense item. There was consensus with the Board for the Manager to use his discretion in evaluating reimbursements.

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11. QUALITY OF LIFE - CBRA DISCUSSION ITEMS

Manager Russell explained that the recent news from Dana Point indicating they've stopped issuing STR permits only applies to areas outside of the Coastal Zone and therefore does not apply to Beach Road.

12. WRITTEN COMMUNICATIONS

There were no written communications this month.

13. BOARD AND STAFF COMMENTS

Director Misher, on behalf of the entire Board of Directors, stated their appreciation to District staff for this past year of dedicated hard work and wished everyone a Merry Christmas and New Year.

ADJOURNMENT Manager Russell adjourned the meeting at 8:27 PM.

NEXT BOARD MEETING: Tuesday, January 30th, 2024 at 6:30 PM

***There may be a special mid-month finance meeting but is not scheduled yet*

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 #701, held on December 19th, 2023.

Donal S. Russell

DONAL S. RUSSELL, Manager
Capistrano Bay Community Services District

December 22, 2023

DATE