

# ITEM 5a

**REGULAR MEETING #704  
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS  
MINUTES  
REGULAR MEETING 6:00 PM  
CLOSED SESSION – 6:05 PM  
Tuesday, March 26, 2024  
OPEN TO THE PUBLIC**

**1. CALL TO ORDER**

District Manager Russell called the regular meeting to order at 6:00 PM

**2. PLEDGE OF ALLEGIANCE**

District Manager Russell led attendees in the Pledge of Allegiance

**3. ROLL CALL and CONVENE CLOSED SESSION**

Directors Present:	McNulty, Jenkins, Misher and Lurner
Staff:	Manager Russell, Karen Morris
Absent:	Wiersig,
Agents:	None
Contractors/Consultants:	Leslea Meyerhoff
Guest Speakers:	None

Closed session convened at 6:05 PM with Board members, Stan Lamport as counsel, and staff present.

**4. CONVENE TO OPEN SESSION/PUBLIC COMMENTS – 6:45 PM**

Manager Russell reopened the regular session at 6:45 PM and reported that no action or voting was taken during the closed session meeting to discuss potential litigation issues related to Advisory Committee work with the proposed CDP application for the Miller Project.

There were no public comments.

**5. APPROVAL OF MINUTES**

**a. Meeting #703 of February 27th, 2024**

Motion was made by Director Jenkins, seconded by Director Misher and approved by a vote of 4-0-1 (Director Wiersig absent) to accept the minutes of meeting #703 of February 27th, 2024.

**b. Special Meeting of January 10th, 2024**

Manager Russell pointed out that because one of the Directors has always been absent for approving this set of minutes, it warrants counsel direction on approving these minutes by way of email proxy vote.

**6. SANDAG – REGIONAL BEACH SAND REPLENISHMENT (RBSP III)**

**a. Report on City/SANDAG Progress/Next Steps**

Manager Russell explained that the City has billed us for our portion (\$25K) of the fee for the City's participation in the RBSP III Project. SANDAG will be approving a budget amendment this coming Friday, March 29<sup>th</sup>, to fund the Feasibility Study and Economic Analysis for both the San Clemente and Dana Point project studies. The next meeting after Friday will be on June 6<sup>th</sup> with SANDAG's Shoreline Preservation Working Group (SPWG).

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### **b. Other Regional Sand-Related Projects in the Oceanside Littoral Cell**

Advisory Committee Consultant Leslea Meyerhoff was present to update the Board on projects with San Clemente and Oceanside. A video recording of Ms. Meyerhoff's report will be made available in the next few days. The District will send out an email notice to everyone when it is ready.

### **7. SHORELINE ADVISORY COMMITTEE**

Committee business was discussed under agenda items 6a/6b. However it's worth noting that the proposed CDP application is very likely to be ready for submittal to the City in late April.

### **8. SECURITY REPORT**

#### **a. Security Monthly Report for Feb/Mar 2024**

Security Supervisor Robert Stabenow walked the Directors through the incident reports with the typical occasional trespasser, illegally parked cars and random STR issues. Director Lurner commented that now is the time to get in the habit of reporting EVERY ISSUE to the City, with STR's that violate the District and the City Rules and Regs, in preparation for the coming summer rental season.

Also discussed was the matter of improved speed bumps. Director Jenkins indicated his interest in removing those black rubber 'speed cushions' and replacing them with a design similar to the ones the City installed up on Camino Capistrano at Pines Park. Manager Russell has already requested the design specs from the City that will be used to process the District's 'traffic calming' proposal to OCFA for a permit to modify the existing speed bumps that are too abrupt and steep, that jostle vehicles much more than is necessary.

#### **b. Suspension of District Police Operations**

As of March 1, 2024, the District has agreed, based on the recommendation by the Dana Point PD, to temporarily suspend police operations, while an issue with LAFCO regarding the District's chartered powers, granted by the State Legislature and OC Board of Supervisors in 1959, are reviewed.

### **9. FINANCE**

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

The expense report through February 2024 was received and filed with no comments.

#### **b. Investment Account with City National Bank**

Pursuant to Board direction at the January board meeting, the District has opened, as of February 27<sup>th</sup>, an investment account with City National Bank (CNB) with \$249,000 in a 3-month CD program at 4.85% interest. The term of this CD will expire on May 27<sup>th</sup>, 2024.

### **10. NEW BUSINESS**

There was no new business

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

There was no report for this month.

### **12. WRITTEN COMMUNICATIONS**

A letter from Schwada Law Firm in support of the Advisory Committee's work was received and filed.

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### **13. BOARD AND STAFF COMMENTS**

There were no public comments.

**ADJOURNMENT:** Manager Russell adjourned the meeting at 8:13 PM.

**NEXT BOARD MEETING:** Tuesday, April 30th, 2024 at 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 #704, held on March 26th, 2024.

*Donal S. Russell*

*April 30, 2024*

DONAL S. RUSSELL, Manager  
Capistrano Bay Community Services District

DATE