

# ITEM 5a

**REGULAR MEETING #705  
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS  
MINUTES  
REGULAR MEETING 6:30 PM  
Tuesday, April 30, 2024  
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, Jenkins, Misher and Lurner
Staff:	Manager Russell, Karen Morris
Absent:	Director Wiersig
Agents:	None
Contractors/Consultants:	None
Guest Speakers:	Jim Fisler and Joe Muller from LAFCO

**4. PUBLIC COMMENTS**

Candidates Jim Fisler (incumbent) and Joe Muller (eight year DP City Councilman) took this opportunity to notify the Board of their intent to run for election as Special Districts Representative on the Board of LAFCO.

**5. APPROVAL OF MINUTES**

**a. Meeting #704 of March 26th, 2024**

Motion was made by Director Misher, seconded by Director Lurner and approved by a vote of 4-0-1 (Director Wiersig absent) to accept the minutes of meeting #704 of March 26th, 2024.

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

Manager Russell reported that the minutes of this meeting were finally approved via email on April 23<sup>rd</sup>, 2024 by a vote of 3-0-2 (Lurner and Misher absent at that meeting).

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

The next SANDAG meeting to review the RSBP III project will be on June 6<sup>th</sup>. Until then, there is nothing more to report.

**7. SHORELINE ADVISORY COMMITTEE**

By mid-May, the Committee will be meeting with City officials to present the proposed CDP application and discuss in detail the components of the submittal in case there are any revisions that need to be done prior to submittal to Planning. The Committee expects to have the packet ready by end of May.

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## 8. SECURITY REPORT

### a. Security Monthly Report for Mar/Apr 2024

Manager Russell pointed out that with the loss of the District Police officer, Security is going to have to pick up the slack on speed monitoring. PC Stabenow pointed out that the speed radar gun has been installed in the security vehicle and we only need to instruct the patrol officers to commence with running radar speed checks at random times throughout their shifts and keeping a log of violators. If repeat offenders are service or guests, the District can ban their access as a penalty for speed violations. With homeowners, the District will have to rely on informing them that they were speeding and to slow down.

### b. Speed Bumps Redesign

The old black rubber speed bumps are falling apart, cracking, splitting, working their anchor bolts loose, and are not as soft as when new. The plan is to replace all the existing speed bumps plus add one or two more but designed to be more 'user friendly' with a more gently rolling design. A good example are the speed bumps the City has installed next to Pines Park. Vehicles experience a much smoother passage over this shape of speed bump and which, are approved by the OCFA. A traffic plan has to be submitted and ok'd by the Fire Authority before any change can be made, meaning this work might not get approved before the end of June.

### c. Disposition of District Police Vehicle

Manager Russell reported that with the loss of the District's police officer, the police vehicle markings have been removed and converted to SECURITY with the recommendation that the District retain the vehicle for utility purposes. It's a 2008 with very low mileage and should continue to be useful for several more years. There was consensus from the Board to keep this vehicle in service.

## 9. FINANCE

### a. Monthly Expense Report

The expense report through March 2024 was received and filed. It was reported that when the current 3-month CD at 4.85% with City National Bank matures, the District will have to move to another bank. On that note, our regular depository, Farmers & Merchants, can offer a 3-month CD program at 4.5%, to which the Board expressed approval, given the minor difference in basis points on the interest rate from CNB.

## 10. NEW BUSINESS

### a. Pines Park Storm Drain Flooding

The flooding at this storm drain facility occurs when a very heavy rain event occurs, as happened on Easter Sunday. The subgrade driveway and garage at 35061 fills with rainwater during these events and the owner, Dr. Thomas, has asked if there is anything the District can do. Manager Russell explained that this drain structure is part of the system operated between the City and the County and he has contacted both agencies with photos and videos of the flooding to make them aware that something needs to be done to minimize the flooding potential.

### b. Directors' Terms Expiring in December

The terms of Directors Wiersig and Jenkins will expire in December. The District will begin notifying the community in May and soliciting nominations for qualified volunteers. Candidates must be registered to vote here on Beach Road.

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**c. Trash Enclosure Approvals (Stark/35485 and Arranaga/36641)**

Manager Russell has reviewed both applications and reported to the Board that both proposed projects meet all the required design standards and has recommended approval. After a brief discussion, the Board approved Stark at 35485 Beach Road and Arranaga at 35641 Beach Road.

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

There was no report for this month.

**12. WRITTEN COMMUNICATIONS**

There were no written communications

**13. BOARD AND STAFF COMMENTS**

There was some concern expressed regarding the Security Supervisor Robert Stabenow having to stay several hours past his normal shift each month to attend Board meetings. Two suggestions were made:

- increase his OT allowance to four hours each month (he is currently allotted two hours)
- move the start time for Board meetings to 6:00 PM

Directors indicated they will give this consideration and report back to Staff.

**ADJOURNMENT:** Manager Russell adjourned the meeting at 7:45 PM.

**NEXT BOARD MEETING:** Tuesday, May 28th, 2024 at 6:30 PM although the time might get changed to 6:00 PM in which case everyone will be notified well in advance.

**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 #705, held on April 30th, 2024.

Donal S. Russell

May 3, 2024

DONAL S. RUSSELL, Manager  
Capistrano Bay Community Services District

DATE