

**REGULAR MEETING #566**  
**CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS**  
**MINUTES**  
**January 25, 2011**  
**OPEN MEETING – 6:30 PM**  
**Palisades United Methodist Church**  
**27002 Camino de Estrella, Capistrano Beach, CA 92624**

**A. CALL TO ORDER**

Board President Bell called the meeting to order at 6:34 PM.

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL/NEW and RETURNING DIRECTORS OATH OF OFFICE**

Directors Present: Bell, Bancroft, Schwartz & Gutierrez  
Directors Absent: Levinson  
Staff Present: Manager Russell  
Guests Present: Brian Sanchez of Securitas

Returning Directors Kirk Bell and Robert Bancroft and new Director Dave Gutierrez were sworn in to four year terms by District Manager Russell.

**D. PUBLIC COMMENTS**

South Coast Water District General Manager Mike Dunbar was present to urge the Board to support the SCWD in voting for Charley Wilson for the Orange County Special Districts representative to the LAFCO Board. Mr. Dunbar also requested the opportunity to attend another Board meeting in the near future to share with the District about current water district actions and future budget plans relating to rate payer fees.

**E. APPROVAL OF MINUTES**

*1. Meeting #565 of December 7, 2010*

Motion was made by Director Schwartz, seconded by Director Bancroft and passed 3-1-1 (Levinson absent and Gutierrez abstained) to approve the minutes of meeting #565 of December 7, 2010.

**F. SECURITY ACTIVITY REPORT**

*1. The monthly report for December 2010 was presented for review.*

President Bell requested staff to send out a second notice to property owners informing the community about the new gate computer system and how to access their individual files for listing guests, service workers, etc. Director Gutierrez requested staff to install a wireless door chime unit to the pedestrian gate at the community entrance for guests and property owners to ring for assistance if they are having difficulty opening/closing the gate. A request was also made to have Fenceworks look into an automatic gate opener system and lastly, to check for an onboard air compressor and jumper cables for the patrol vehicle.

**G. FINANCIAL REPORT**

*1. The claims and transmittals were presented for review.*

*2. Monthly expenses and year to date reports through December were presented for review.* President Bell requested the five-page entry project expense report be removed from the monthly financial reports. Staff was also reminded to make sure that all service contractors providing work for the District are insured. Director Gutierrez asked staff to find out from SDGE what today's costs are for taking overhead utilities underground and to report to the Board at the next meeting and lastly to look into the refund from the City on the fees the District paid for ensuring that exported materials from the entry project were sent to an approved offsite disposal facility.

*3. Collection of Fees*

There were no comments or discussion on this item.

*4. Renewal of District Auditor services*

Motion was made by Director Bancroft, seconded by Director Schwartz and passed 4-0-1 (Levinson absent) to approve the three-year proposal by Charles Fedak & Company in the amounts of \$12,500 for 2011, \$13,000 for 2012 and \$13,500 for 2013.

**H. ENTRY PROJECT and NORTHGATE PROGRESS REPORT**

*1. Punch list items remaining for entry project.*

Director Schwartz stated he will order a wood slab table top milled from a large tree stump for use at the palapa near the grassy area at the community entrance. Manager Russell reported he has had the entry gates, the park bench and the guard building oiled a second time, has ordered the fixtures for the flagpole lighting and will provide an itemized comparison of proposals of the three contractors who bid on the landscape maintenance work.

Staff was instructed to issue a notice to all property owners indicating that, for security reasons, the resident entry gate would become exclusive for transponders only after March 31, 2011. The notice should include a postal mailing, an email message, a handout notice issued at the gate and a temporary sign posted at the entrance.

*2. Discussion on the Coastal Development Permit application for the northgate area.*

Manager Russell reported that the City had rejected the District's Coastal Development Permit application to have the District office permanently located in the northgate maintenance yard. The District was given through the month of February to vacate and remove all three temporary/portable structures. Director Bancroft suggested the office operation be moved offsite to temporarily satisfy the City's request while the Board reviews this unplanned change of circumstances for a new permanent solution. Staff was directed to rent a small office nearby on a month-to-month basis for about \$900 per month to house the desks, files, phones, computer and Admin. Assistant and to place the Manager in the small office in the rear of the guard building and to post this item on the agenda for the next Board meeting.

**I. COMMITTEE REPORTS**

*1. LCP Committee*

There was no report for this item.

2. *CBRA Activity Report including Quality of Life Committee*  
There was no report or discussion on the item.

**J. MANAGER'S REPORTS**

1. *Review of Manager's Priority List*

This item is on hold until the community entry improvement project is complete.

**K. OLD BUSINESS**

*There was no old business.*

**L. NEW BUSINESS**

1. *Election of new Special Districts' representative on the LAFCO Board.*

Motion was made by President Bell, seconded by Director Bancroft and passed 3-0-2 (Levinson absent and Schwartz had excused himself prior to the vote) to support the election of Charley Wilson as the Special Districts' representative on the LAFCO Board.

**M. WRITTEN COMMUNICATIONS**

*There were no written communications*

**N. BOARD AND STAFF COMMENTS**

*There were no board or staff comments*

**O. ADJOURNMENT**

The meeting was officially adjourned at 9:10 PM.

**ATTEST:**

State of California            )  
County of Orange            )ss  
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 #566 held on January 25th, 2011.

Donal S. Russell  
DONAL S. RUSSELL, Manager

February 23, 2011  
DATE