

**REGULAR MEETING #579**  
**CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS**  
**MINUTES**  
**April 3, 2012**  
**REGULAR MEETING – 6:30 PM**  
**OPEN TO THE PUBLIC**  
**Palisades United Methodist Church**  
**27002 Camino de Estrella, Capistrano Beach, CA 92624**

**A. CALL TO ORDER**

Board President Ambrose Masto called the meeting to order at 6:38 PM.

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL**

Directors Present: Haack, Martinez, Masto, Zerboni (no voting capacity until sworn in)  
Directors Absent: Bell  
Staff Present: District Manager Russell  
Guests Absent: Brian Sanchez, Securitas Branch Manager

**D. PUBLIC COMMENTS**

Homeowners Carlos and Suzy Harrison/35221 Beach Road recommended that Security use stricter control at the entry gate and issue guest passes to be displayed on car windshields, to be returned when the guest leaves. The Harrison home was broken into in mid-March and a television was taken. The Harrisons were not home at the time. The home had been shown by a realtor on Wednesday and on Friday the gardener found sliding doors open on the beach side, an open garage door, and a screen down. When the Harrisons contacted the guard on duty, the Beach Road security personnel and the guard shack did not know the sheriff's phone number to report non-emergency crimes. Ms. Harrison's cousin's home (35305) was broken into the week before and police reports were taken. The cousin e-mailed suggestions to Manager Russell and he sent an e-mail notice to all residents.

Per Board President Masto, going forward, the post order book showing the sheriff's phone number will always be available at the guard shack. Cars without guest passes will be investigated. More awareness of non-resident cars is needed. Homeowners can help watch each others' homes and call Security with suspicions. Director Jim Zerboni reminded that homeowners need to report all break-ins. Russell stated that per police, not all thefts are reported or they are not reported in a timely manner. Zerboni will contact all homeowners with ongoing incident reports.

**E. APPROVAL OF MINUTES**

*1. Regular Meeting #578 held on February 28, 2012.*

Motion was made by Vice President Haack, seconded by Director Martinez, passed 3-1-1, one abstention (Zerboni), one absent (Bell), to approve the minutes of meeting #578 of February 28, 2012.

**F. SECURITY ACTIVITY REPORT**

*1. One month period for February, 2012 (Securitas).*

There were no comments on this item.

*2. Dashboard video camera for the patrol vehicle.* Quotes have been received for \$3280 and \$4700. A lower cost system is available that runs on batteries and can act like a video or single shot. Costs are around \$300-\$600, which will provide a few hours per card along with 3 or 4 cards that can be purchased to provide additional time. The camera is flipped on to activate and can capture images from an area, i.e. a sweep image of non-guest cars up and down Beach Road. Night vision is needed. Manager Russell to obtain different selections between \$300-600 and report back to the Board.

*3. Proposed password policy for homeowner call-in identification.* Board President Masto reported that when a resident calls the gate to report a visitor, a password will be needed to identify the resident. Mission Viejo uses this system. To be an effective tool against burglary, we need a password. (The gate could also take license numbers. We already have hardware/software to document them). Manager Russell to draft and send for board approval: a notice to homeowners of 30-45 days deadline to choose a password, stating that if the password is forgotten, homeowners will be asked for vehicle make and color/other information to verify their identity. Choosing or changing a password code can be done at any time online or via mail/drop-off to Manager Russell.

Renters will provide their cell number and a temporary password will be issued for use during their stay. Real estate agents need to be reminded of the policy that they must accompany prospective buyers on site. Homeowner Sheila Bullock noted that some residents won't comply. Per Board President Masto, after 30 days, all homeowners must have a password.

*4. Dana Point News delivered to all driveways.* To avoid newspapers piling up in front of homeowner properties, Dana Point Times and newspapers older than two days will be placed in the collection box at the guard shack, retained for three days, and then recycled. Homeowner Sheila Bullock will announce this in the newsletter.

*5. Exit gates left open during busy hours.* The down side is that bicyclists and pedestrians might try to enter and mix with exit traffic and the possibility of vehicles trying to enter through the opened exit gates. The exit gates will be left closed at all times. However, the pedestrian gate will be left open during the day to encourage pedestrians and cyclists to use the sidewalk instead of the vehicle driveways.

*Bicyclists running stop sign at RR traffic light.* Homeowner Phyllis Masto experienced a near-miss. As she was driving out the gate and through the green traffic light at the railroad crossing, a bicyclist did not stop, drove in front of her, and she almost hit him. She reported that homeowners exiting the front gate may hit bicyclists who continually run the stop sign at the railroad traffic light. This is City of Dana Point property. Homeowners to send e-mails to Doug/City Manager, copy Manager Russell and Ambrose Masto. Board to send e-mail to City Manager Doug to request the City make it mandatory for bicyclists to walk their bikes across the intersection.

**G. FINANCIAL REPORT**

*1. Claims and Demands.*

Received and filed.

*2. Report of monthly expenses and year to date status through February 29, 2012.*

Board President Masto noted that expenses are up. Gas and water costs have increased. The gas torch that is currently lit every night will now be cut off at midnight to keep expenses down. The expense is currently \$350 per month. The water cost is high but accepted. Maintenance on the gates is necessary to keep the wood oiled and cleaned. One reason that expenses are high for gate and woodwork maintenance is that contractors pass on the costs as they must be licensed, bonded and insured to do work on Beach Road. Manager Russell will e-mail budget worksheets to the Board on April 4.

*3. Collection of fees for services.*

There was no discussion of this item.

*4. Review of proposal for new liability insurance policy.* Our current policy expires June 30, 2012. Current coverage is for \$20 million dollars. We are a unique special district; there is not really another district that has the homeowner component. Emerald Bay only has water as their special district and they are an HOA. Homeowner Nadine Levinson reminded the group that timing is of the essence since the fiscal year is drawing to a close and stated SDRMA is not suitable because of our high liability. We need similar coverage with less liability at a competitive cost. The language needs to state that it covers special districts.

Manager Russell and Board to meet with the SDRMA Insurance Chief Risk Officer to give concerns and find out SDRMA's opinion. Russell to obtain a written statement on the Schwartz-generated proposal to show whether the proposal was valid for a Special District or HOA, and what costs would be for special district. Russell to contact the California Special District Association (CSDA) to identify insurance companies other districts use in order to obtain additional bids.

**H. ADMINISTRATION OFFICE RETURN TO BEACH ROAD**

*1. Coastal Development Permit application.* Manager Russell reported that the already-submitted permit application is in the public review period. After public review phase, we can process building permits. Timeline is the mid- to end of the summer.

**I. COMMITTEE REPORTS**

*1. LCP Committee: No report on this item.*

*2. CBRA Activity report.* CBRA President Sheila Bullock reported a successful membership drive, with 158 paid and 30 unpaid dues. The April 14th CBRA Spring meeting will be opened by Sheila Bullock with treasury reports, minutes, introduction of programs; then the meeting will be run by Ambrose Masto. The meeting will be informal – a community forum for input based on the recommendation on governance for Beach Road. Webb Property Management will be at the meeting to discuss FAQ's and answer questions.

April 3, 2012

3. *Ad Hoc Committee Report – Management Support Alternatives.* A one-page summary and full written report were submitted at the March Board meeting.

**J. MANAGER’S REPORTS**

1. *Review of Manager’s PRIORITY list.* Manager Russell has still not received a response from the County on the Poche water quality control program. Group discussion mentioning the L.A. Times article blaming birds for water quality issues. Lake Mission Viejo fixed a similar issue. Group discussion of discharge problem vs. scouring pond; cadmium runoff.

2. *Community entrance area landscape and lighting maintenance report.* The Bemus Landscape quote is high at a proposed cost of \$4757.59. Homeowner Sheila Bullock reported that for a \$200 fee, Armstrong Nursery will come out and make plant recommendations, with \$100 of the fee applicable to plant costs. Bemus had the best price when compared to the other landscape proposals. Homeowner Toni Bancroft had provided the plant list and feels Bemus’ plant costs are fair. Board discussion followed about plant quantities, categories, and the suggestion to use a more basic plant list instead of too many plant types. Sheila mentioned the concern from Toni that we have some plants that need a lot of water mixed with those that need less water and that the sprinkler system needs to be looked at. Toni suggested succulents be used in the area on the right of the parking lot, requiring less maintenance.

Sheila Bullock and Manager Russell to meet with Toni Bancroft to recommend reductions in plant quantities and varieties. The Board agreed to cut down line item costs in order to bring the quote down to \$2500.

3. *Progress on Storm Drain No. 2 improvement project.* No discussion on this item.

**K. OLD BUSINESS**

There is no old business.

**L. NEW BUSINESS**

1. *Discussion to reduce the length of the approved minutes.* Board meeting minutes length will be reduced to 4 or 5 pages. The audio recording is needed as a backup in case the minutes are not available and is valuable to ensure capture of discussion and board actions. We will continue the practice of audio-recording the Board meetings and destroying the tapes 60 days after the meeting.

**M. WRITTEN COMMUNICATIONS**

There were no written communications this month.

**N. BOARD AND STAFF COMMENTS**

No comments at this time.

**O. ADJOURNMENT**

The meeting was officially adjourned at 9:03 PM.

Regular Meeting #579

April 3, 2012

**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 #579 held on April 3, 2012.

Donal S. Russell  
DONAL S. RUSSELL, Manager

April 25, 2012  
DATE