

REGULAR MEETING #583
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES
REGULAR MEETING 6:30 p.m.
OPEN TO THE PUBLIC
Palisades United Methodist Church
27002 Camino de Estrella, Capistrano Beach, CA

A. CALL TO ORDER

Board President Ambrose Masto called the Meeting to order at 6:33 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/INTRODUCTION OF WEBB MANAGEMENT, PERSONNEL

Directors Present: Haack, Martinez, Masto, Zerboni
Directors Absent: Bell
Staff Present: District Manager Russell, Webb Community
Management: Tom and Peggy Webb, and Craig
Pico
Securitas: Joe Keirouz

D. PUBLIC COMMENTS

There were no public comments.

E. APPROVAL OF MINUTES

1. Regular Meeting #582 held on June 26, 2012
Board President Masto summarized the June 26, 2012 Meeting. A motion was made and seconded by Director Haack the motion passed with a vote of 3-1 (Bell was absent and Zerboni abstained).

F. SECURITAS ACTIVITY REPORT

1. One month period for July, 2012
The report was provided by Securitas branch manager, Joe Keirouz. He announced that the approved July, 2012 5% cost of living increase would be effective as of August 1, 2012, for designated Securitas employees working on behalf of the Capistrano Bay District. There was further discussion regarding gate access protocols, specifically how the guards should handle allowing access to the community to homeowners when they forget their passwords. It was also noted that some guards are still not asking for passwords prior to allowing entrance.

2. The Board discussed and collectively agreed that the increase in security personnel during the July 4 was justifiable and they believe mitigated potential problems. They would continue to support this in the future so long as their presence is low key, professional and non-confrontational.
3. There was a brief discussion regarding fire pits that have been washed away due to previous storms that have not been replaced by the homeowners. Security noted that there has been an increase in fires on the beach and that charcoal is not contained and becomes a potential liability and a source of debris that contaminates the beach. The Board of Directors authorized Webb Management to include a notice to the owners regarding their responsibility to replace the fire pits in compliance with the District's Ordinance.

G. FINACIAL REPORT

1. The District Manager, Donal Russell, provided the Financial Report. It was noted that there were several minor discrepancies in the previously approved budget for 2013 that were revised by Mr. Russell over the previous month.
2. A discussion ensued regarding a budget line item for Traffic Engineering. Mr. Russell reported that it is a Vehicle Code regulation that a District traffic engineering study must be performed every five (5) years. Director Martinez further went on to explain that a study needs to be performed in order to enable the District to enforce Community speed limits and enable Municipal enforcement for District-issued citations. Mr. Russell indicated that this study is being budgeted in the upcoming calendar year due to the need for this study. The budgeted amount is two thousand five hundred dollars (\$2,500.00).

H. ADMINISTRATION OFFICE RETURN TO BEACH ROAD

1. There was a brief discussion regarding the progress of closing the offsite office and transitioning the District Manager back full time to Beach Road. The District Manager Donal Russell stated that the process has been slow as each individual file needs to be reviewed prior to moving into storage or being retained as a working file. Mr. Russell set a target date for October 2012 to finalize the move and close offsite office.

I. COMMITTEE REPORTS

1. LCP Committee Report:
The District Manager, Donal Russell, made a verbal presentation regarding the Mean High Tide Line Survey performed on Tuesday, June 12, 2012. It was explained that the primary purpose of the Report is to protect homeowners when disputes arise regarding public access rather than defining the stated mean high tide line, as described in the property deed.

2. The Board of Directors expressed their concern over the degradation of the beach and the increasing loss of beach area and sand. The Board directed Donal Russell to investigate the Board's retaining a professional for the purpose of advising the Board regarding their options and possible solutions to this significant concern. The Board directed Donal Russell to solicit bids and information and to agendize and present it to the Board of Directors at the August 2012 Board Meeting. Webb Management requested a full copy of the Annual Report for the Mean High Tide Survey.
3. CBRA Activity Report:
Sheila Bullock, the President of CBRA, stated that the newsletter is written and ready to be printed and distributed. A copy will be provided to Webb Management. She also mentioned the upcoming end of summer party on September 8, and encouraged the Board of Directors to attend.

J. MANAGEMENT REPORT

1. Mr. Russell reported that he will be on vacation Monday, August 6 and return Monday, August 20.
2. Webb representatives updated the Board regarding the recent management transition. The Board and Webb emphasized the importance of making progress in all areas of management responsibility. It was discussed that this process would require a cooperative effort between the District Manager, Don Russell, and Webb. It was mutually agreed between the Board, Webb, and Don Russell, that the following action items will be facilitated;

Management Report – Webb Management:

- A. Management Action Items for 8/12 in order of priority:
 1. **Management/Emergency Protocols in Managers Absence** - Don to provide a full briefing re: emergency / day-to-day management protocols to Craig Pico – Tentative date Thursday, August 2, 2012.
 2. **Financial** – Don to forward June 30 Year End Financial Statements and all other relevant financial information to Tom Webb prior to Friday, August 3, 2012, at close of business.
 3. **Community Governance** – Don to provide P. Webb copies of all District Ordinances and governing documents, prior to close of business, Friday, August 3, 2012.
 4. **File Management** – The Board emphasized the importance of this action item. It was mutually agreed that Don Russell should provide direction to Craig Pico re: the pick up of certain file boxes during the Thursday, August 2, 2012 meeting.

3. Grand Jury Report:

Donal Russell reported that while the Grand Jury has no direct authority over the District, they do have some influence over other agencies that govern Districts who can legislate to adjust (i.e. reduce) the tax revenue that the District receives.

4. Community Entrance Area:

The Board directed Donal Russell to get bids to install fencing in an area that was recently landscaped that is being trampled by dogs.

5. Beach Road Slurry Seal Project:

Donal Russell provided a report and recommendations on the proposed slurry sealing of Beach Road. Project would start at the South end of the Community and will be done in sections to allow access in and out. The estimated time to complete the project is 6-7 days. No firm date has been established to start the project. Time line and bids will be agendized for review and approval at the August Board of Directors Meeting.

K. OLD BUSINESS

There was no old business presented.

L. NEW BUSINESS

There was no new business brought before the Board.

M. WRITTEN COMMUNICATION

There was no written communication presented to the Board.

N. BOARD AND STAFF COMMENTS

There were no additional comments presented by the Board or staff.

O. ADJOURNMENT

The Meeting was officially adjourned at 8:50 p.m.

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 *APROVED* copy of the Minutes of meeting #583 held on July 31, 2012.

Donal S. Russell

DONAL S. RUSSELL, Manager

August 29, 2012

DATE