

REGULAR MEETING #584
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES
Tuesday, August 28, 2012
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 6:37 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Directors Present:	Haack, Martinez, Masto
Directors Absent:	Zerboni, Bell
Staff:	District Manager Russell
Agents/Contractors:	Webb Community Management, Inc.: Pico Securitas: Keirouz

D. PUBLIC COMMENTS

There was a discussion concerning the visitors/guests stop sign located immediately behind the guard bldg. There were concerns voiced that it p may not be adequately visible and that it poses a potential problem to pedestrians, cyclists, and vehicles as cars enter the community in the visitors lane. The bronze colored sign though aesthetically pleasing, was reported to be partially obscured by Palm fronds and it blends into the landscape. The District Manager was directed to evaluate and provide possible solutions to the sign which would include; overlay existing sign with red reflective paint, install a flashing red light (either battery or hardwired) that activates as the crossing arm goes up or that the sign be replaced with a red stop sign.

E. APPROVAL OF MINUTES

1. Regular Meeting #583 held on July 31, 2012

Board President Masto summarized the July 31, 2012 Meeting. A motion was duly made by Director Martinez and seconded by Director Haack, the motion passed with a vote of 3-2 (Bell and Zerboni were absent).

F. SECURITAS ACTIVITY REPORT

1. One month period for August 2012

The Report was provided by Securitas Branch Manager, Joe Keirouz. He mentioned that a number of Citations had been issued for parking in the fire lanes during the previous month. The typical protocol when vehicles are cited is to attempt to find the vehicle owner and have the person immediately remove their vehicle. For repeat offenders, a

ticket is issued that carries a fifty dollar (\$50.00) fine. District Manager Russell suggested that patrol officers should place cones around the vehicle that is protruding out into the roadway as a warning to others, while attempts are made to locate the owner of the vehicle. Agent Pico advised the Board regarding the provisions of State Vehicle Codes 22658A and 22500.1 and recommend that they should be enforced in order to eliminate the risk associated with use of the fire lanes as a convenient place to park. Mgr. Russell pointed out that these codes are currently enforced along with the code-required notification signage posted at the community entrance.

2. A number of owners raised concerns over reports of recent home invasions, and their lack of confidence in the District's existing security company's potential response. They wanted to know what measures are in place by security to better protect individuals' homes. A homeowner suggested that a system be installed that, upon entry into a home by an intruder, an alarm is activated at the guard house, who immediately call the home and, if no answer, the police would be called and security dispatched to the home. The Board acknowledged the attendees concerns and discussed the District's limitations regarding individual owners' security procedures for their homes. They recommended that individual owners investigate personal home security systems and motion lights as possible deterrents to crime. They also encouraged all owners to ensure their property is adequately secured and that their doors are locked. District Manager Russell announced that he had authorized additional patrols because of the recent break-ins. President Masto recommended an increase in patrols for the Labor Day weekend. The Board directed Securitas to prepare a report for next month's meeting to address options that are available to better protect the homes within the District and to include information on having a panic button system available to install for interested homeowners.
3. The Board requested that Securitas include in their Incident Report, a line item for "suspicious persons."
4. The Board directed Securitas to red tag homes where fire pits are damaged, not useable, and/or missing.
5. The Board directed Securitas to issue citations to homeowners for fires outside of designated fire pits and/or for burning unapproved material on the beach.
6. Private property signs to be posted at either end of the property. District Manager Russell to check with legal counsel for proper verbiage prior to ordering and posting signs.

G. FINACIAL REPORT

1. District Manager Russell provided the Financial Report. It was noted that there was a twenty five hundred dollar (\$2,500.00) adjustment in the previously approved budget to include a line item for the five-year traffic engineering study.
2. Director Martinez questioned where the final bids for the slurry coating project were and if actual numbers were available for the Board to review. Mr. Russell stated that, due to his recent vacation, bids were not available to the Board at this time; however, he

reported that the approximate cost would be fifty five thousand dollars (\$55,000.00). Further discussion by the Board was deferred until the Management report.

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 Board again stated that they want the transition completed by the end of October 2012 to finalize the move and close the offsite office.

I. COMMITTEE REPORTS

1. CBRA Activity Report:
Sheila Bullock, the President of CBRA, had no CBRA Report, however, she did encourage everyone to come to the community, Endless Summer Party, scheduled for Saturday September 8, 2012, at 5:30 p.m.

J. MANAGEMENT REPORT

1. Webb Community Management:
Craig Pico provided a detailed written Report to the Board regarding the transition and activities during the previous month. The Report included information on the 2012 -2013 User Fee to Owners; the Fire Pit Flier; the July 2012 Financial Statements; the Community Governance/Board Reference Book; and District File Organization. A brief discussion ensued regarding difficulties Webb has had in obtaining the necessary information needed to prepare the July 2012 month-end Financial Statements in order to provide the Board prior to the scheduled August Meeting.
2. Sand Erosion and Rocks:
Homeowner, Wayne Schafer, was asked to comment on the concerns over the erosion of sand and the large amount of rocks on the beach. Mr. Schafer stated that, in his opinion, importing sand was not feasible and he was concerned that this would draw attention to the District, and require involvement of the Coastal Commission. He also commented that, at this time, the City and County have no plans to replenish the sand on the beaches. Another homeowner reported that he had paid to have all the rocks in the front of his home smoothed out, in order to allow the water to come up and over the rocks, allowing the incoming sand to be deposited evenly across the area. He believed he was losing more sand because of the large channels cut by the receding water that was forced to go around the large rock piles. The Board was concerned about liability exposure and would not consider this as a viable option at this point. Further suggestions came from both the Board and from homeowners ranging from; "...let nature take its course..."; to, inviting the Pacific Legal Foundation to discuss options in working with the Coastal Commission and address the community; invite the Coastal Commission to a forum to propose recommendations for remediation; and/or, hire a Coastal Engineering expert, who specializes in the field of coastal beach processes, to investigate cause and offer comprehensive solutions.

MOTION – TO HIRE A COASTAL ENGINEERING EXPERT TO INVESTIGATE SAND EROSION: Upon a motion duly made by Director Martinez and seconded by Director Haack, the Board agreed to hire David W. Skelly, GeoSoils Inc., a Coastal Engineer, to investigate the conditions on the beach and to provide recommendations to the Board. Cost not to exceed eight hundred dollars (\$800.00). The motion passed with a vote of 3-2 (Bell and Zerboni were absent).

4. Community Entrance Area:

The Board reviewed the maintenance report that was provided. No further action was taken.

5. Beach Road Slurry Seal Project:

Mr. Russell stated that, due to his vacation, final bids had not been collected and processed prior to the August 2012 Meeting. Mr. Russell reported that he would be preparing a timeline and this matter would be placed on the agenda for Board review and approval at the September 2012 Board of Directors Meeting.

K. OLD BUSINESS

There was no old business presented.

L. NEW BUSINESS

1. District Auditor Proposal:

The Board reviewed the Proposals submitted for District Auditor with the following action taken:

MOTION – TO APPROVE THE FIRM OF ROGERS, ANDERSON, MALODY & SCOTT, LLP AS THE DISTRICT AUDITORS: Upon a motion duly made by Director Haack and seconded by Director Martinez the Board agreed to hire the firm of Rogers, Anderson, Malody & Scott, LLP as the District Auditors at an annual cost of ten thousand four hundred dollars (\$10,400.00) for the fiscal year ending June 2013, with an additional annual increase of two hundred dollars for each year of the fiscal years ending June 2014 and 2015 respectively. The motion passed with a vote of 3-2 (Bell and Zerboni were absent).

M. WRITTEN COMMUNICATION

There were 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 9:00 p.m.

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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 #584 held on August 28, 2012.

Donal S. Russell

DONAL S. RUSSELL, Manager
Capistrano Bay Community Services District

October 2nd, 2012

DATE