

DRAFT

Resolution No. 10-30-12-1

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CAPISTRANO BAY COMMUNITY SERVICES DISTRICT ESTABLISHING DUTIES AND RESPONSIBILITIES AND LEVEL OF AUTHORITY FOR THE DISTRICT MANAGER AND AGENT

WHEREAS, Donal Russell is the District Manager for the Capistrano Bay District; and

WHEREAS, WEBB Community Management, Inc., is an authorized Agent for the Capistrano Bay District; and

WHEREAS, the Board of Directors for Capistrano Bay District (“Board”) has reviewed the duties and responsibilities for the District Manager and Agent.

NOW, THEREFORE, BE IT RESOLVED that the Board has adopted the following Resolution regarding the duties and responsibilities and the level of authority for the District Manager and Agent, as follows:

- A. In the event it should become necessary to make repairs, alterations or improvements to the Property, unless such repairs, alterations or improvements are of an emergency nature and necessary for the protection of life or the Property, the District Manager shall have the responsibility to facilitate those repairs per the Board’s adopted policies and procedures and Board directives.
- B. Should Agent become aware of any property related problems, alterations or repairs that are reported to them, Agent shall report those directly to the District Manager.
- C. The District Manager shall have the discretionary authority to make alterations or repairs to the Property in an amount not to exceed \$2,500.00, without prior authorization of the Board.
- D. Alterations or repairs that are likely to cost in excess of \$2,500.00 will not be performed without first securing the written approval of the Board or such representative(s) as the Board may designate.
- E. District Emergencies – District Manager and Agent shall have the full authority to take whatever steps they deem necessary to correct the problem, including, but not limited to, communicating with outside contractors, vendors, and agents, including the District's legal representative, and/or authorizing necessary work to be completed to correct the emergency. All related work shall be billed to and become the responsibility of the District, regardless of cost. Agent shall make an attempt to contact the District Manager to advise them of the status of the emergency and shall turn the matter over to the District Manager for follow up and completion, however, Agent shall not be obligated to delay any action deemed necessary by Agent, due to contacting the District Manager.

The foregoing Resolution was duly adopted at the Regular Meeting of the Board held at the hour of 6:30 P.M. on October 02, 2012, by the following vote:

Director Votes (In Alphabetical Order):

Breeding _____ in favor; _____ opposed

Haack: _____ in favor; _____ opposed

Martinez: _____ in favor; _____ opposed

Mastos: _____ in favor; _____ opposed

Zerboni _____ in favor; _____ opposed

Ambrose S. Masto, President

CERTIFICATION

I do hereby certify that I am the Secretary of the Board of Directors for the Capistrano Bay District, and that the foregoing Resolution was duly adopted at the Regular Meeting of the Board held at the hour of 6:30 p.m., on October 30, 2012.

Signed: _____

Print Name: _____

Title: _____

Date: _____