

**REGULAR MEETING #604  
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS  
MINUTES**

**Tuesday, July 29, 2014  
REGULAR MEETING: 6:30 p.m.  
OPEN TO THE PUBLIC**

**Location: Palisades United Methodist Church  
27002 Camino de Estrella, Capistrano Beach, CA**

**A. CALL TO ORDER**

Board President Masto called the Meeting to order at 6:30 p.m.

**B. PLEDGE OF ALLEGIANCE**

Board President Masto led attendees in the Pledge of Allegiance.

**C. ROLL CALL**

Directors Present: Breeding, Masto & Muller  
Directors Absent: Haack & Zerboni  
Staff: District Manager Russell  
Agents: Authorized Agent Morris, Webb Community Management, Inc.  
Contractors Present: Securitas, Branch Manager Keirouz

**\*\* CLOSED SESSION REPORT OF ACTION**

The Board cancelled the Closed Session due to the absence of Directors Haack & Zerboni.

**D. PUBLIC COMMENTS**

No public comments.

**E. APPROVAL OF MINUTES**

*1. Approval of #603 Meeting Minutes from June 26, 2014*

Board President Masto summarized the June 26, 2014 #603 Meeting Minutes.

**MOTION** - A motion was made by Director Muller and seconded by Director Breeding to approve the Minutes of Meeting #603. The motion was passed by a vote of 3-0-2. (Directors Haack & Zerboni absent)

**F. SECURITAS ACTIVITY REPORT**

*1. One Month Period for June 2014 (Securitas)*

Branch Manager Keirouz brought up the recent car break-ins that happened the night of July 26, 2014. The thieves found un-locked vehicles to search and steal from. A homeowner in the 600 block was able to catch the thieves on video tape. Securitas is currently trying to compare the homeowner's video clip to the actual video clip of the vehicles entering Beach Road. Branch Manager Keirouz re-stated the importance of homeowners reporting all thefts, major or minor, to the police department. To date there have been no beach fire complaints.

*2. Progress Report for Assembly Bill 1102 – Regulating Beach Fires*

The District will continue to enforce its own Ordinance that regulates recreational, outdoor, wood-burning fires.

*3. Review of Fourth of July Community Safety Program*

The Special Projects Group (SPG) of Securitas USA, Pacific Region, provided a five officer detail, during the hours of 3:00 pm to 11:30 pm, at the direction of District Manager Russell. The officers provided a foot patrol within five sectors designated by District Manager Russell, on the beach side of the residences

and coordinated their efforts with Capistrano Bay Officer, Jim Williams, who patrolled the road access in a security vehicle.

The primary objective of the foot patrol was to provide a safe environment for the residents and patrons renting properties for the Fourth of July festivities with emphases placed on curtailing illegal fireworks, beach fires not contained in a brick or metal ring and any other dangerous, illegal or unsafe activity. Branch Manager Keirouz stated that he felt it was helpful to have the extra resources on hand for patrolling the road and the beach. This Fourth of July was relatively quiet and no major incidents were reported.

4. *Follow Up on Leaving the Community Exit Gates Open During Busy Times*

Director Breeding proposed that the exit gates be left open during the busy times of the day. The purpose would be to extend the lifespan of the gate motors and decrease the resulting repair and maintenance costs by reducing the usage. The exit gates are now being left open for the periods of 6:00 to 9:00 am and 3:00 to 6:00 pm, Monday through Friday. During this initial period there have been no reports of vehicles speeding through the gates with pedestrians in the immediate area nor has there been any instance of a vehicle trying to enter through the open exit gate portal. This was definitely a safety concern and out of an abundance of caution, Securitas was hesitant to implement this program. District Manager Russell is pleased and relieved to report that there have been no hazardous occurrences observed.

**ACTION ITEM** –Director Breeding recommended that Securitas may want to leave the exit gates open during the summer morning hours on Saturday when the majority of renters are leaving the community between 10 and 11am. The Board has decided to leave the decision of whether to open the gates up to the Commander on duty for any given Saturday.

5. *Cost Estimate for No-Entry Traffic Spikes in the Community Exit Driveway*

During the discussion regarding the open exit gates, the suggestion was made to install traffic spikes in the exit driveway as a method of deterring anxious and impatient drivers from entering through the exit gates when they are left open. The projected cost for a surface mount unit which is set up like a speed bump would be approximately \$1,850 and for a flush mount unit that is set down in the concrete would be approximately \$3,750.

After almost three weeks of observation with the exit gates in the open position on the morning and afternoon, the incidence of wrong way drivers so far is zero. While there is no doubt that it will happen, it is evident that it is not a regular occurrence.

**G. FINACIAL REPORT**

1. *Monthly Payment Claims*

The Board reviewed the Monthly Payment Claims with no action taken.

2. *Report of Monthly Expenses and Year-to-Date Status Through June 30, 2014*

Board President Masto brought up for discussion the cost of oiling the entry gates and requested that this project be put out for a re-bid and possibly set up on a gate contract. District Manager Russell stated that he had requested a re-bid from two companies. The first company has yet to get back to him and the second company he found out was not insured.

**ACTION ITEM** – District Manager Russell will call for three to four more bids and he will try and locate the refurbishing oil at a lower cost.

**ACTION ITEM** – Authorized Agent Morris will be trying to push up the completed monthly financials to be ready mid month instead of the 3<sup>rd</sup> week of the month.

3. *Review of Separated Balance Sheets for Assessment District AD 99-1 Accounting*

**ACTION ITEM** – Authorized Agent Morris will follow up with the District CPA, Chris Vossman, to oversee the set up of the two balance sheets. This process will begin with the new Fiscal Year beginning July 1, 2014.

4. *Review of Revisions to FY15 Budget Format Providing Prior Years Comparisons*  
Board President Masto has reviewed the budget comparisons and was satisfied with the collected data.

## **H. DISTRICT ADMINISTRATION OFFICE**

### **1. *Moving the District Office***

The City has notified the District to apply for a Coastal Development Permit. This may result in a proposal to move the office into the Northgate maintenance yard area. Board President Masto commented that there are some more pressing community issues that are currently taking precedence over the move of the District Office. Those matters are coordinating the current new house builds and new sheds, within the community, and the matter of a community wide sea wall that may need to be constructed in order to protect all Beach Road homes.

In preparation for moving the District Office over to the Northgate maintenance area, SDG&E informed District Manager Russell that in order to get a power source to the District Office, it will require a separate meter installation.

**ACTION ITEM** – District Manager Russell will be requesting SDG&E to install an additional meter in the Northgate maintenance yard.

**ACTION ITEM** – Board President Masto and Director Muller will be drafting a letter to the community bringing awareness of the following matters: final location of the District Administration Office, undergrounding of the utility lines, including the possibility of switching the entire road to fiber optics, beach road rentals and beach sand erosion and the possible need for a community wide sea wall.

## **I. COMMITTEE REPORTS**

### **1. *CBRA Activity Report***

CBRA President, Carole Wunderly, reminded the Board of the upcoming Summer Party for Beach Road being held September 13, 2014.

## **J. MANAGER'S REPORT and OLD BUSINESS**

### **1. *Short Term Rentals and Rentals in General***

Board President Masto has called for a meeting with Webb Management to open a discussion regarding the District's rental data collection program, try to get some new ideas and thoughts from Webb's perspective, to assist with organizing our current data and suggestions for going more in depth with the data collection effort. One area in particular that is always difficult to keep track of is staff time involved in dealing with renter issues and activity. Webb may have some ideas for a plan to easily keep track of the intermittent but daily interruptions. District Manager Russell will coordinate a meeting between Webb and the Directors to occur during the month of August.

The ultimate goal is to be able to go to the City with the District's findings and request a portion of the Rental Tax that the City collects to help offset the District's expenses incurred.

### **2. *Webb Community Management Monthly Report***

#### **A. Financial Statements for the month of June 2014**

**Progress:** Completed and emailed to the Board on July 23, 2014.

**B. Authorized Agent Morris will follow up with the District Auditor, Scott Manno, to make sure he connects with the District CPA, Chris Vossman, to set up the two balance sheets. This process will begin with the new Fiscal Year beginning July 1, 2014.**

**Progress:** Scott Manno connected via email to Chris Vossman on July 16, 2014 with written direction on how to create two companies; one for the CBD itself and another for AD99-1.

- C. Authorized Agent Morris will be compiling a multiple year comparison to include in the Fiscal Year End June 30, 2015 budget.

**Progress:** The FY15 Budget with Prior Year Actual's was finalized July 23, 2014 and will be presented at the next Board Meeting on July 29, 2014.

3. *Manager's Priority List*

- A. Coordinate with CR&R to have the community trash barrels steam cleaned.

**Progress:** CR&R does not do this work due to environmental regulations. They do not want to collect all the contaminated runoff.

**ACTION ITEM-** District Manager Russell is to obtain four separate bids from trash cleaning companies and present his findings at the next Board Meeting.

- B. Coordinate with OC Vector Control on cost to set up a community-wide rat abatement program

**Progress:** A site meeting with OC Vector is scheduled for the week of July 28, 2014.

- C. Update the Security Post Orders.

**Progress:** Ongoing, as the need for revisions arise.

- D. Work on cleaning out the District storage unit and creating onsite storage in the north gate yard.

**Progress:** This item is on hold until the administration office relocation is finalized.

- E. Continue monitoring progress by the County on the Poche water quality control program.

**Progress:** Nothing new to report as of July 25, 2014.

- F. Obtain a price estimate for installing traffic spikes in the community exit driveway.

**Progress:** Presented at the July 29, 2014 Board Meeting.

- G. Repair of corroded and damaged drain pipe at drain #13 at 35691 Beach Road.

**Progress:** The City expects to put this out to bid for work to be done this summer.

- H. Bids for a community-wide CCTV system for security monitoring purposes.

**Progress:** This item is still pending and may become a part of the Greenfield Communications effort. (See item J)

- I. Send out a community notice of petty theft and continue informing the PD of any reported theft.

**Progress:** Will mail out on Monday July 28, 2014.

- J. Follow up with Greenfield Communications regarding the possibility of fiber optic cable and undergrounding utilities.

**Progress:** Greenfield Communications presented the service to the homeowners at the CBRA meeting on May 17, 2014. The next step is a mail marketing campaign by Greenfield Communications to the community to compare costs with the existing Cox service

- K. Contact the Boy Scouts organization regarding the annual or semi-annual beach trash pick-up days.

**Progress:** Currently in communication with Jerry Bright of the local Boy Scout Council at 949-546-4990.

4. *Review of Railroad Parking Development and Trash Enclosure Improvements at 35147 Beach Road*

Homeowner, Gretchen Augustyn, along with a representative, Kelly Evans, personally discussed the parking plans with the Board and the Board gave their approval.

5. *Update on Progress by Greenfield Communications Presented by Mike Powers*

Mike Powers gave a quick up date on the benefits that Greenfield's Fiber optic program would provide and handed to the Board a proposal for communications infrastructure and service provider.

**K. NEW BUSINESS**

1. *Proposal to Increase the Annual PLF Contribution from \$5,000 to \$7,500*

**MOTION-** A motion was made by Director Breeding and seconded by Director Muller to increase the PLF contribution from \$5,000 to \$7,500. The motion was passed by a vote of 3-0-2. (Directors Haack & Zerboni absent)

2. *Begin Discussion on Protecting Beach Front Properties with Sea Walls*

What can be done legally and can the homeowners apply for rights to act as a community. Board President Masto is hopeful that the District may be able to enlist the help from the PLF for a preliminary talk to the community about what the options may be to building a unified seawall.

**L. WRITTEN COMMUNICATION**

No written communication at this time.

**M. BOARD AND STAFF COMMENTS**

Director Muller gave the Board a quick overview from his research on the undergrounding of utilities. SDG&E own the poles that currently line Beach Road. In order to underground the utilities there would have to be a series of transformers set on pads every 10 homes. Director Muller will be looking into ways to finance this endeavor and will keep the community informed.

Director Haack's trash enclosure at 35255 Beach Road was reviewed and unanimously approved by the Board.

**N. ADJOURNMENT**

Board President Masto officially adjourned the Meeting at 8:45 p.m.

**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 #604 held on July 29, 2014.

Donal S. Russell  
DONAL S. RUSSELL, Manager

September 30, 2014  
DATE