

**REGULAR MEETING #606
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES**

**Tuesday, October 28, 2014
CLOSED SESSION – 6:00 pm
REGULAR MEETING: 6:30 pm
*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 6:45 p.m.

B. PLEDGE OF ALLEGIANCE

Board President Masto led attendees in the Pledge of Allegiance.

C. ROLL CALL

Directors Present: Breeding, Clark, Haack, Masto & Muller
Directors Absent: None
Staff: District Manager Russell
Agents: Authorized Agent Morris, Webb Community Management, Inc.
Contractors Absent: Securitas, Branch Manager Keirouz

CLOSED SESSION REPORT OF ACTION

The District is reviewing possible replacements for their legal representation. Current legal representation is Rutan & Tucker. Rutan & Tucker also represents the City of Dana Point and the Board feels that a conflict of interest could arise if the District ever had a legal issue with the City.

D. PUBLIC COMMENTS

No public comments.

E. APPROVAL OF MINUTES

1. Approval of #605 Meeting Minutes from September 30, 2014

Board President Masto summarized the September 30, 2014 #605 Meeting Minutes.

MOTION - A motion was made by Director Haack and seconded by Director Clark to approve the Minutes of Meeting #605. The motion was passed by a vote of 5-0.

F. SECURITAS ACTIVITY REPORT

1. One Month Period for September 2014 (Securitas)

Branch Manager Keirouz was absent, but reported to District Manager Russell that there were no new major incidents to report.

2. Review of Proposed Change to District Police Uniform Style

There was discussion concerning a request that the District provide the police officers with a different uniform from the Securitas Patrol. Over this past summer there have been several confrontation issues with speeders where the violator did not understand or realize that the arresting officer was an actual police officer.

The police officers today are, more often than not, perceived as security guards and it is being recommended that the standard white uniform shirt be changed to a black polo-style shirt with yellow embroidered name and police badge. Many local PD's are going to the polo shirt for the everyday uniform and it is felt that following suit with the Sheriff's Department would help with a positive effect on perception with our police officers.

ACTION – The uniform shirt is approximately \$75 and the two Officers would need at least 3 shirts each. The Board authorized the proposed uniform change.

ACTION – District Manager Russell will be adjusting Officer Sokol's morning schedule so he comes in later in the morning, no earlier than 6:45 am.

3. *Guard Building Surveillance Camera Report*

Below is the revised proposal for the upgrade to the surveillance camera system at the guard building. The basic concept was met with approval at the last meeting but the Board requested some changes to the proposal and wanted to see what the additional cost would be:

- New HD digital camera (at #1 location)	\$250.00
- New HD 8-channel video recorder unit plus hard drive	975.00
- License plate camera #6 loop wiring (to record license plates) Includes all installation labor for camera and recorder	375.00
- Sales tax	<u>98.00</u>
Total	\$1698.00

- Labor to relocate front camera away from tiki torches - \$90/hour (could take 3 hours) – The District would be charged for time only: \$1,698.00 + 270.00 = \$1,968.00 *could be less if the relocation effort goes well.

ACTION - The Board authorized District Manager Russell to move forward with the above proposal. The Board has also requested that the recorder unit be mounted on a shelf higher up in the guard shack to protect it from the dampness and airflow.

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 September 30, 2014*

Board President Masto commented on the expense of \$593 for the painting of the flag pole. District Manager Russell explained the prep-work involved with painting the flag pole including: erecting scaffolding, prep, prime, paint, and dismantle scaffolding. It was a three-day job.

Director Muller reviewed the financial reports and said that all looked in order.

H. DISTRICT ADMINISTRATION OFFICE

1. *Moving the District Office*

The District plans to relocate the administrative office into the Northgate maintenance yard as soon as the electrical service has been hooked up. SDGE has issued their Electric Service Order, so once an electrical contractor has been selected the electrical service installation can begin.

Proposals are as follows:

- Kilbride Construction	\$11,800
- Excel Electric	\$12,340
- Manager's Sub bids	\$12,893

This does not include electrical hookup to the administrative building once it's moved – this secondary work comes after the meter has been installed at the meter pedestal cabinet and is expected to run about \$800.

ACTION – Director Breeding has requested District Manager Russell to obtain three additional bids to add to the ones above before a final decision is made. Also, District Manager Russell is to go to the City and speak with the Planning Department and check on the electrical permit compliance requirements.

I. COMMITTEE REPORTS

1. *CBRA Activity Report*

CBRA President, Carole Wunderly, informed the Board of CBRA's upcoming Fall Meeting that is to be held November 15, 2014, at the home of John Tomlinson. The guest speakers for the Meeting will be Engineers, Ray Files and David Skelly. They will be speaking to the homeowners concerning the sand erosion issue and sea walls.

J. MANAGER'S REPORT and OLD BUSINESS

1. *Webb Community Management Monthly Report*

A. Financial Statements for the month of September 2014

Progress: September Financials were completed and emailed to the Board on October 17, 2014.

B. FYE June 30, 2014 documents have been sent to Scott Manno at RAMS, the District Auditor for Capistrano Bay District on October 24, 2014.

Progress: Annual Audit to begin shortly.

C. Authorized Agent Morris is recommending to the Board to transfer the Budgeted Reserve Funds into LAIF. This transfer can be done monthly, or a one-time transfer from Operating into the Reserve Account. The transfer would be \$7,052.50 per month or a one-time deposit of \$84,630.

ACTION – The Board has requested a Savings Account be set up with an outside bank such as Bank of America and then transfer the one-time deposit of \$84,630 and not deposit into LAIF.

2. *Possible Approval of Proposals to Steam Clean Trash Barrels and Exit Driveway Tracking*
Proposal for Steam Cleaning Trash Barrels

Two trash barrel cleaning services were contacted to give a demonstration and to provide proposals. Both services use a similar process which makes use of steam jets swirling around the inside of the barrel. The barrel to be cleaned is picked up mechanically by the truck (they can do 2 or 3 at a time) and turned upside down over a large containing sink so the wash water is collected inside the truck and not just dumped onto the ground. The entire process is self-contained so the work is environmentally safe and wash water is dumped offsite at a disposal site. There is, however, some noise associated with the cleaning process (not quite as loud as a trash collection truck).

Proposals:

- OC CleanACan	First time thru -	\$12/barrel x 220 = \$2640
	Subsequent visits -	\$7/barrel x 220 = \$1540
- Clean-A-Can	First time thru -	\$3.25/barrel x 220 = \$715
	Subsequent visits -	\$2.99/barrel x 220 = \$658

*Subsequent visit pricing is based on a regular monthly service. If the frequency of visits is extended to quarterly, etc. then the price reverts back to the higher first time rate.

MOTION – A motion was made by Director Clark and seconded by Director Muller to proceed with Clean-A-Can, one time cleaning for approximately \$715. The motion was passed by a vote of 5-0.

Removal of Black Tire Tracking on Exit Driveway

The District pressure washes the community entrance/exit driveways on a monthly basis to keep them clean and free of leaking motor oil and hydraulic fluid buildup. The program has been adequate to keep up a clean appearance, however, the exit driveway is noticeably degrading in appearance from the buildup of black tire tracking and is getting worse each week.

This black tracking began to gradually appear last year sometime after the roadway was seal-coated. The sealcoat material is wearing off the road surface and being tracked onto the concrete surface of the exit driveway as vehicles leave the community.

The regular monthly pressure washing program uses a hot pressure wash procedure to keep the driveways clean but it is not concentrated enough and under enough pressure to cut through the black tracking buildup. This black tracking has become an unintended consequence of the roadway seal-coating maintenance effort and needs to be addressed.

A specialty pressure wash service was solicited to test-clean a small area of the exit driveway last week. Without the use of chemicals, using only steam at high pressure, they were able to clean the surface back to almost new condition.

- Clean exit driveway from end to end \$600 (one time cost)
- The process is environmentally safe – no chemicals are used – only high pressure steam
- The equipment is designed to capture (by wet-vac), filter and recycle all wash water
- There is no guarantee on how long it will last before it's needed again
- The exit driveway will be closed to traffic for most of one work-day

ACTION – District Manager Russell was directed to research other sealcoating products that might not transfer black onto the driveway and also to proceed with cleaning a larger test section of the exit driveway to see how long the cleaning effort lasts.

3. *Report on Repairs to Storm Drains by Damage from Hurricane Season*

In the summer of 2014, the community experienced further beach erosion from the impact of five hurricanes originating off the central Mexico coast. The results from these storms was similar to the previous summer, with additional loss of beach. Out of 11 total drains, there were 5 locations with more drain pipe sections being torn loose. While the outfall ends were adequately braced, the now-exposed pipe sections further back from the bracing were torn loose. Between the two summers of hurricane surf, the storm drain system has lost approximately 30 to 40 feet of pipe at 6 of our 11 drains.

Cost Comparison (Kuno's Grading):

2013 - \$8,000 (was \$8,500 but contractor agreed to lower price in an attempt to obtain future work)

2014 –Time/Material not to exceed \$9,389. There is more work this year due to reinstalling 3 drain pipe sections that were not in the scope of work last year. With T&M the contractor cannot lose and we stand to get the work for less. District Manager Russell indicated, in his opinion, this is an excellent offer by the contractor.

MOTION – A motion was made by Director Muller and seconded by Director Breeding to proceed with the Kuno's Grading proposal at Time/Material not to exceed \$9,389.00. The motion was passed by a vote of 5-0.

ACTION – Director Breeding is requesting that the Storm Drain that is located out in front of his home be moved to the Northgate.

4. *Update on Community Fiber Optics Project: Cox Communications Option*

At the May 17, 2014, Meeting of the CBRA, Mike Powers of Greenfield Communications gave a presentation on fiber optic service for the community. In June/July, Greenfield mailed out an informative brochure to the community explaining their service and compared the cost with the competing services by COX and AT&T. To date there has been little communication to the District from interested homeowners. With 186 homes on Beach Road, District Management has heard formally from only one property owner. There are likely other homeowners interested, but supporting phone calls or emails are not reaching the District office.

In a recent field meeting with COX on October 15, 2014, regarding details of moving the District administrative office, the conversation with the construction planner turned to the topic of fiber optics. He reported that COX is in the business of providing fiber optic service and the field planner offered to have a representative contact the District to discuss their program. The District received a follow-up email from COX Construction Services on October 23, 2014, confirming that the Construction Services Manager has been notified and will be contacting the District shortly. It was agreed that it will be beneficial and advantageous to hear from a second service provider to obtain their opinion about fiber optic service.

ACTION – District Manager Russell will be obtaining information from Cox to evaluate what Cox has to offer concerning the installation of fiber optics. District Manager Russell will also communicate with Greenfield Communications to determine if they will be canvassing the community with any further surveys.

5. *Storage Shed Request by Homeowner at 35621 Beach Road*

Homeowner, Jeff Lurner, is proposing a new shed structure to be built within his existing railroad parking area and is asking for approval. The Lurner home is unique in architectural design, featuring smooth plaster walls, accented with obscure green glass and aluminum/stainless steel trim. The proposed design is intended to mirror the architectural design/style of his home and is not unusual from other recently approved structures within the District, with the possible exception of height, which the Board is primarily concerned with and will be discussing. Details of the proposed structure were provided at the previous Meeting, but the Board has requested more detail and accurate field dimensions. These were made available at the October 28, 2014, meeting.

Homeowner, Jeff Lurner, was present at the Board Meeting and informed the Board that he has adjusted his storage plans and replaced the glass top section. He proposes to just extending the walls up to a normal shed roof.

MOTION – A motion was made by Director Breeding and seconded by Director Muller to approve the design of the storage shed at 35621. The vote was passed with a vote of 4-1-0. Director Clark abstained from the vote. He is requesting that a set of guidelines for all future storage sheds be written and adopted.

ACTION – Director Clark, along with help from the Board, will be developing a set of guidelines for the design and construction of all future storage sheds to be built by owners along the railroad side of the road within the District.

6. *Report on El Nino Forecast for this Coming Winter*

The National Oceanographic and Atmospheric Administration (NOAA) provides an interesting diagnostic discussion on El Nino every month. Available on the Capistrano Bay District website, are three pages of the October discussion. The NOAA forecasters believe there will be a wet winter after December 2014. This could mean more resources on the beach for storm drain maintenance, as the tide washes up and buries drain outfalls every few days after they have been cleared. The typical procedure is to watch the daily and long range forecasts very closely and be prepared with equipment and a hand crew to keep the drains open ahead of expected rain. If the drains are opened up too early, they will get buried again before the rain hits. Timing is crucial.

The District relies heavily on the National Weather Service forecasts and the real-time satellite images on the website www.unisysweather.com.

7. *Manager's Priority List*

- A. Coordinate with a service to have the community trash barrels steam cleaned
Progress: Presentation made earlier in minutes
- B. Coordinate with OC Vector Control on cost to set up a community-wide rat abatement program
Progress: Done
- 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 September 26, 2014
- F. Try to find a more cost-effective painter for re-oiling the woodwork on the guard building and gates
Progress: So far no suitable/willing painter has been identified
- G. Repair of corroded and damaged drain pipe at drain #14 at 35691 Beach Road
Progress: Work commenced the week of October 20, 2014
- 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 I)
- I. Follow up with Greenfield Communications regarding the possibility of fiber optic cable and undergrounding utilities
Progress: Greenfield Communications presented the proposed 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
- J. Contact the Boy Scouts organization regarding the annual or semi-annual beach trash pick-up days
Progress: Progress on this has been hampered by the hurricane surf conditions and will be revisited in October 2014. It was suggested to contact Dave Proodian, homeowner and athletic coach at San Clemente High School to possibly use his team for the cleanup as a fundraiser

K. NEW BUSINESS

1. *Postponement of November Board Meeting*

The Board has agreed to cancel the November Board Meeting and has selected December 16, 2014, as their next Board Meeting.

- 2. Homeowner, Dave Guterrez, who was present at the meeting, is requesting backing from the Board as to encouraging the owner of 35695 to clean up the vegetation surrounding their property. Due to the overgrown nature of the property, there is an infestation of rodents and these rodents are making their way over to the Guterrez home.

L. WRITTEN COMMUNICATION

There Were No Written Communications

M. BOARD AND STAFF COMMENTS

No Comments

N. ADJOURNMENT

Board President Masto officially adjourned the Meeting at 9:15 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 #606 held on October 28, 2014.

Donal S. Russell
DONAL S. RUSSELL, Manager

December 16, 2014
DATE