

Meeting #628

CAPISTRANO BAY DISTRICT
AGENDA REPORT
January 24, 2017

Security Reports

ITEM 6b

Complaint by Homeowner Re: Securitas Operations

For discussion is a complaint by homeowner Jeff Lurner regarding his claim of inappropriate use of language and behavior by a Securitas officer on the night of New Year's Eve. Below is the text of Mr. Lurner's complaint:

Don: (1-10-17)

I have now had the opportunity of reviewing the agreement between Capistrano Bay Community Services District ("CBCSD") and Securitas Security Services USA, Inc. ("Securitas") dated May 2004 ("Agreement".)

Suffice as to say that the very essence of the Agreement has been breached, namely, that Securitas, through its "service personnel **shall... act in a professional manner at all times**" (emphasis added - para. 1) which they have on a various occasions failed to do, there are a number of other provisions of the Agreement that Securitas has breached. To name a few, Securitas is to provide competent, qualified personnel at **all** times (para. 3) as well as to properly maintain the vehicle used by them, similarly at all times. They have not done so. Emergency equipment, insurance, log books and the like, as required under the Agreement, may not be in compliance therewith and would obviously then expose other breaches by Securitas.

Accordingly, request is hereby made to seek a replacement security service who will act in accordance with the obligations called for under the Agreement and which are aimed towards the benefit of **all** homeowners, the District and respective guests and personnel. Failure to do so exposes those responsible to liability for negligence or even gross negligence especially in that, as a matter of logic, by the failure to seek and/or enforce compliance with various current obligations under the Agreement, in the event of an emergency or other exigent situation requiring security personnel in the future, the underlying existing and continuing failures would be indicative and a clear precedent to such future failure/s, where lives and/or property may be in jeopardy or at stake. Parenthetically, there is no doubt that certain of the Securitas personnel are either incompetent and/or unqualified to perform the functions required of them under the Agreement, and/or required by them in their capacity as security personnel in general.

Kindly acknowledge receipt and please forward a copy of this communication to all of the board members.

I await to hear from you.

Jeff Lurner

Mr. Lurner's communication has been provided to the Board and to Securitas for review and response.

