

**REGULAR MEETING #536  
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS  
MINUTES**

**April 29, 2008  
OPEN MEETING – 6:30 PM**

**Palisades United Methodist Church  
27002 Camino de Estrella, Capistrano Beach, CA 92624**

**A. CALL TO ORDER**

President Bancroft called the regular meeting to order at 6:30 PM.

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL**

Directors Present: Bancroft, Laster, Southwick & Bell  
Directors Absent: Martinez  
Staff Present: Manager Russell  
Guest Present: Russell Willmon, Securitas

**D. PUBLIC COMMENTS**

There were no public comments.

**E. APPROVAL OF MINUTES**

*1. Regular Meeting #535 of March 25, 2008*

Motion was made by Director Southwick, seconded by Vice President Laster and passed 4-0-1 (Martinez absent) to approve the minutes of meeting #535 held on March 25, 2008.

**F. SECURITY ACTIVITY REPORT**

*1. The monthly report for January, 2008 was presented for review.*

Director Southwick suggested that patrol begin using an audio recorder during the times when there is a confrontation with a violator that turns difficult. It has been too often that the patrol officer gets ridiculed and verbally abused and lied to and Director Southwick feels an audio record of the confrontation would serve to protect the officer from future abuse. Staff was directed to acquire the proper equipment, write a post order for the use of the equipment and put the program into service.

*2. Progress on community speed control*

Manager Russell reported that the District recently received the approval from Superior Court to begin issuing citations (speed tickets and ordinance violations) to court. Staff is now working on acquisition of a patrol vehicle, formalizing the hiring of a police officer candidate, scheduling a radar certification class, getting uniforms fitted, having citation books printed, etc. It is estimated that the officer should be in place by mid-June.

3. *Handling flat tires on the patrol vehicles*

Manager Russell suggested the most efficient use of resources to minimize on the down time when the patrol vehicles get a nail or screw is to get an account set up at the nearest service outlet which is the Goodyear store over along the freeway at Aeropuerto, just past the Barwick auto dealership. With the right agreement, the District should be able to turn around a tire repair within 30 minutes. Staff was directed to proceed with making the suggested arrangements.

**G. FINANCIAL REPORT**

1. *The claims and transmittals were presented for review.*

2. *Monthly expenses and year to date reports through February were presented for review.*

There were no comments from Board members.

3. *Collection of fees for services.*

Manager Russell reported on the following: *(no change from prior month)*

**Development Impact Fees**

35065 - \$344.95 *Billed on 11/26/07*

Total DIF unpaid as of 3/20/08	\$ 344.95
Total DIF collected this fiscal year	\$ 16,436.95
Total DIF collected since the program began	\$ 73,180.00 (approx. figure)

**User Fees**

All fees for FY08 are paid in full.

**RR Parking Fees**

It was reported in error last month that these fees were paid in full. As a result in mis-communicating with the family, there is one unpaid account in the amount to \$360. This will be collected as soon as possible.

**Summer Trash Collection Program/Fees**

All fees for FY08 are paid in full. The upcoming summer season will kick off on June 1<sup>st</sup>.

**H. LCP COMMITTEE REPORT**

1. *The MHTL and cross section survey was conducted on December 17<sup>th</sup>. The next survey is scheduled for the week of June 6-9.*

2. *Quality of Life Committee*

The Board expressed concern over the content of the committee meeting minutes from the March 29<sup>th</sup> meeting. There were several items noted in the minutes that carried some suggestions for changes to security activity, speed limit enforcement, helmet law and beach fires that the Board was opposed to considering. David Wilson, Committee Chairman, explained that the minutes were more of a record of all the discussion conducted during the meeting and not necessarily recommendations by the QLC Committee and that in the future the distinction between discussion and action by the committee would be more clearly presented to avoid confusion. Mr. Wilson further added that the next meeting, scheduled for

Saturday, May 3<sup>rd</sup>, would yield more definitive information regarding quality of life issue that could be recommended to the Board.

**I. MANAGER'S REPORTS**

The manager reported on the following items:

*1. Progress on community entrance improvements.*

In a phone conversation yesterday with Metrolink, the phase I portion of the project was tentatively approved pending the completion of a minor request by Metrolink to provide a health and safety procedure report for the contractor who will be conducting the soils testing. Metrolink also needs to know the exact locations for the drilling of the soil samples. Upon receipt of these items, Metrolink will issue a temporary right of entry to enable the District to finally proceed with completion of the grading plans to submit to the city. Regarding the work in the immediate vicinity of the guard shack and entrance driveway that is now being referred to as phase II, the District is working on a possible easement exchange with the county that could result in acquisition of a few additional feet of space along the seaward side of the entrance driveway that could be used as a pedestrian pathway.

*2. Discussion regarding community vegetation trimming.*

Some property owners are ignoring the District's repeated letters reminding them to please cut back their overgrown shrubs and bushes that grow out into the roadway. This takes up much of staff's time that could be utilized more effectively elsewhere. Staff was directed to send out a final reminder letter, by certified mail, to any of these property owners explaining that failure to keep their vegetation along the RR side of the road trimmed back behind the curb would result in the District trimming the growth back to District specifications (12" behind the curb and no higher than the block wall) at the expense of the property owner.

*3. Block wall reinforcement.*

There is a procedure for strengthening an existing masonry wall that does not require a complete tear down and rebuild and is much less expensive. The District has completed such a reinforcement procedure in two locations along the road – at 35735 and 35261. The cost for a complete rebuild of a new wall is about \$170 per LF as compared to \$22 per LF for a reinforcement of an existing wall. Staff would like to conduct one additional "test" section at 35271 in order to solidify the unit cost for upcoming budget purposes and was approved by the Board to proceed.

*4. Review of Manager's Priority List*

Director Southwick pointed out that the owner at 35095 needs to be reminded to construct a gate for his trash enclosure.

**J. OLD BUSINESS**

*There was no old business*

**K. NEW BUSINESS**

*There was no new business*

**L. WRITTEN COMMUNICATIONS**

*There were no written communications*

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**M. BOARD AND STAFF COMMENTS**

There were no comments.

**N. ADJOURNMENT**

The meeting was officially adjourned at 8:15 PM.

**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 a copy of the Minutes of Meeting #536 dated April 29, 2008.

\_\_\_\_\_  
DONAL S. RUSSELL, MANAGER

\_\_\_\_\_  
DATE