

**REGULAR MEETING #537  
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS  
MINUTES**

**May 27, 2008  
CLOSE SESSION – 6:00 PM  
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 6:40 PM.

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL**

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

**D. PUBLIC COMMENTS**

There were no public comments.

**E. APPROVAL OF MINUTES & REPORT OF CLOSED SESSION ACTION**

*1. Regular Meeting #536 of April 29, 2008*

Motion was made by Director Southwick, seconded by Director Bell and passed 4-0-1 (Laster by proxy vote and Martinez absent) to approve the minutes of meeting #536 held on April 29, 2008.

*2. Report of closed session action*

Board President Bancroft reported on action by the Board during closed session to approve the hiring of a District police officer and to bring him on duty sometime in the near future.

**F. SECURITY ACTIVITY REPORT**

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

Director Southwick again commented that patrol should begin using an audio recorder during the times when there is a confrontation with a violator that turns difficult. Staff responded that both the new police officer and Securitas officers will be outfitted with audio recording equipment during the month of June when the police officer is brought on duty.

*2. Progress on community speed control*

Manager Russell reported that with the hiring of a District police officer, the community will now be subject to receiving traffic citations for speeding. Director Southwick advised that letters to all property owners be mailed at least two weeks prior to the new officer coming on duty to give everyone adequate warning of the new District safety program. It was also

reported that with the approval by OCFA for *speed cushions*, a set of these was ordered and will be delivered to the District by Friday, May 30<sup>th</sup> to be installed the following week at 35341 Beach Road.

Motion was made by Director Southwick, seconded by Board President Bancroft and approved 3-0-2 to approve additional expenses from budget sub-account #4600, not to exceed \$30,000 for additional *speed cushions* in the event the “test” set of these special speed bumps proves to be effective in slowing traffic.

*3. Additional gate officer for Saturdays during the summer rental season*

Board President Bancroft explained that a very effective way to inform incoming guests and renters of the District’s rules and regulations is to have an additional gate officer dedicated to the task of meeting and greeting incoming guests at the gate with a handout of information. A suggestion was made to have this additional gate officer walk up the entrance driveway when the incoming vehicles get backed up and briefly explain the basic rules of the community and hand them a short packet of information. Staff was instructed to implement this program by mid-June in time for the beginning of the summer season. The Board authorized this action for a period of 30 days subject to a review of its effectiveness.

*4. Fourth of July community safety plan*

Manager Russell reported that the holiday this year will land on a Friday which will make the event more difficult to deal with on a safety level. Nevertheless, the District will have 3 armed officers on the beach riding ATV’s plus the District’s own police officer patrolling the road along with the regular compliment of gate and patrol officers from Securitas. The main objectives are to decrease the hazard with fireworks on the beach and large illegal bonfires, to receive incoming guests quickly and efficiently and to control parking to keep the roadway open for emergency vehicle access. At the end of the evening most of the safety officer resources will report to the entrance area to assist in a more expedient flow of traffic out of the community and to manage problems that might develop from intoxicated and impatient drivers.

*5. Revised speed limit ordinance*

Motion was made by Director Southwick, seconded by Director Bell and approved 4-0-1 (Laster by proxy vote and Martinez absent) to approve District Ordinance No. 08-118, “AN ORDINANCE OF THE CAPISTRANO BAY COMMUNITY SERVICES DISTRICT ESTABLISHING THE PRIMA FACIE SPEED LIMIT FOR BEACH ROAD AT 15 MPH.”

*6. Review and approval of Securitas contract for FY09*

Motion was made by Director Southwick, seconded by Board President Bancroft and approved 3-0-2 (Laster & Martinez absent) to approve the proposed Securitas security services contract for FY09, beginning July 1, in the amount of \$330,674.72. Board President Bancroft reported that this represents a 3.13% increase over the current year.

**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.*

Board President Bancroft and Director Bell both requested the bank check reconciliation report that also identifies each expense by budget sub-account code be included in the financial reports from now on. Director Bell also requested a copy of the November cost estimate that breaks down the expected road entry project expenses.

*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*

Staff was asked to press the owner of this delinquent account for payment.

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 FY07/08 are paid in full. Billing for the new fiscal year will go out during the first week in July.

**RR Parking Fees**

All parking fees for the calendar year of 2008 are paid in full. The billing for 2009 is scheduled to go out in November.

**Summer Trash Collection Program/Fees**

All fees for the summer of 2007 are paid in full. The upcoming summer season will kick off with the first Friday collection on June 6<sup>th</sup> and will run through mid-September.

**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.*

Manager Russell reported that the survey engineer, Paul Cuomo of Guida Surveying, recommended the District consider expanding the number of survey stations from 13 to 21 to more accurately cover the various geographic changes along the beach. Mr. Cuomo pointed out that this adjustment to 21 survey stations would double the fee per survey and suggested that the District consider conducting the survey once per year instead of twice as is currently being done. The Board agreed to direct staff to consult with other experts in the field of marine surveying for additional evaluation of the once-per-year recommendation of Mr. Cuomo before making a decision.

*2. Quality of Life Committee*

Committee chairman David Wilson reported that the Committee has determined the following seven common problems in the community that could be improved through an effective campaign of public awareness:

*- speeding – wrongful parking – smoke from beach fires – noise after 10 pm – misuse of neighbors' trash barrels – loose dogs – failure to pick up behind dogs.*

The Committee recommends a variety of methods to reach the community such as mailers, handouts at the gate, email memos and posting on the District's new website. Staff was

directed to coordinate with the Committee and develop a draft information flyer and handout for review by the Board. David Wilson, Committee Chairman, stated that since the Committee had met the objectives laid out by the Board some Committee members had asked where they might best fit in to help the Board in the future. Director Southwick and President Bancroft suggested that perhaps CBRA would be a good fit. The CBRA operates committees from time to time and a quality-of-life type committee within that organization would seem to be appropriate.

**I. MANAGER'S REPORTS**

The manager reported on the following items:

*1. Progress on community entrance improvements.*

Last month Metrolink made the requirement of a *Project Health and Safety Plan* that must be reviewed by them prior to issuance of a temporary access permit. Staff ordered the development of the *Safety Plan* through the project design engineer and it is expected to be complete and ready for submittal in the first week of June.

*2. Review of Manager's Priority List*

Staff was reminded to get quotes for on-board audio/video equipment for the new police vehicle and a hand-held tape recorder for use by the Securitas patrol officers.

**J. OLD BUSINESS**

*There was no old business*

**K. NEW BUSINESS**

*There was no new business*

**L. WRITTEN COMMUNICATIONS**

*1. Letter from Beach Road resident Sandy Hoose regarding two items:*

- a suggestion to prohibit construction in the community on Saturday and Sunday
- add additional street lights along the road

Staff was directed to prepare reports on these two items and place them on the agenda for consideration at the Board meeting in June.

**M. BOARD AND STAFF COMMENTS**

President Bancroft reminded the Board that it is time for the Manager's annual performance review. Mr. Bancroft asked that reviews be returned to him by June 16<sup>th</sup> so that he might have time to prepare them for the June 24 Board meeting.

**N. ADJOURNMENT**

The meeting was officially adjourned at 9:06 PM.

**ATTEST:**

State of California            )  
County of Orange            )ss  
Capistrano Bay District    )

Regular Meeting #537  
May 27, 2008

**I, Donal S. Russell**, Manager of the Capistrano Bay Community Services District hereby certify that this is a copy of the Minutes of Meeting #537 dated May 27, 2008.

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

\_\_\_\_\_  
DATE