

DISTRICT MANAGER RESPONSIBILITIES

- A. Description: The District Manager is the Executive Officer of the District and for the Board of Directors. The Manager administers the District and has exclusive management and control of the operations of the District, subject to approval by the Board of Directors, and provides day-to-day leadership for the District.

The District Manager has general charge, responsibility and control over all employees and property of the District. He is responsible for the enforcement of all District ordinances, resolutions and policies.

The District Manager attends all meetings of the District's Board and such other meetings as the Board may specify from time to time.

The District Manager employs other employees as deemed necessary for the proper administration of the District and the proper operation of the works of the District in accordance with District policy. The Manager shall delegate authority at his discretion and has authority over and directs all employees, including terminating for cause or lack of worthwhile work. The personnel management goal will be to provide a motivating work climate for the District employees.

The District Manager will serve as a liaison between the Board of Directors and the residents of Capistrano Bay. The Manager will maintain cordial relations with all persons entitled to the services of the District and attempt to resolve all public and employee complaints and will encourage citizen participation in the affairs of the District.

The District Manager will seek to carry into effect the expressed policies of the Board of Directors, including planning the short, medium, and long-term work program for the District and facilitating constructive and harmonious Board relations. The District Manager shall translate the goals and the objectives of the Board to the community and shall act as the spokesman for the District unless otherwise directed by the Board of Directors.

The District Manager shall prepare and manage the District budget, conducting studies, making oral and written presentations.

The District Manager shall keep abreast of surrounding community efforts and work with local and state agencies and will meet with all necessary agencies on pertinent issues and will advise the Board of Directors of all actions by the public and private agencies that may be relevant to the District.

The District Manager will approve of persons or organizations who wish to provide special services within the District.

The District Manager will negotiate legal fees, contracts for services, etc. as a representative for the Board of Directors and will be prepared to make recommendations on all matters where the Board must take action.

The District Manager shall act as Secretary to the Board of Directors, as District Accountant and as District Treasurer. The District Manager shall be responsible for the preparation of all material relevant to the District Board Meetings and will keep abreast of legal matters relating to the District and the Ralph M. Brown Act.

- B. Required Qualifications: The Manager shall be bondable and insurable and also possess a valid California driver's license.

- C. Desirable Qualifications: The Manager should have a minimum of five (5) years' experience in a responsible public agency management position. The Manager should have the ability to efficiently prepare annual budgets and long-term revenue/outlay plans; the ability to effectively communicate, both written and verbally, with the constituents and other agency personnel; and the ability to meet and serve the public courteously and efficiently while upholding the highest standards of the Capistrano Bay Community Services District.

- D. Hours of Work: It is apparent that the District Manager shall devote his entire work day to the job and respond to any emergency situation.

- E. Performance Tasks:
 - 1. General duties and responsibilities:
 - a) Oversee and provide for the District elections.
 - b) Oversee architectural matters.
 - c) Supervise the communication needs of the District.
 - d) Supervise and control the development, maintenance and access to all District records in compliance with the law and District policy.
 - e) Prepare all necessary reports to governmental agencies.
 - f) Maintain the District library.
 - g) Supervise the preparation and revision of all District manuals.
 - h) Supervise the preparation of all reports.

- i) Oversee all contracted, maintenance and other routine matters performed by outside agencies.
- j) Keep abreast of surrounding community efforts and coordinate with local and state agencies.
- k) Meet with all necessary governmental agencies on all pertinent issues.
- l) Account for, report on, comply with legalities and be custodian of imprest cash.

2. Personnel Responsibilities:

- a) Supervise the quality of work for all employees of the District and evaluate their effectiveness on a regular basis.
- b) Supervise and coordinate the District security section.
- c) Supervise the preparation of work schedules of all District employees.
- d) Respond to and/or settle and report to the Board all employee grievances.
- e) Staff the District in compliance with the authorization given by the Board.
- f) Supervise the maintenance of a file on each employee and a record of his/her service with the District.
- g) Supervise the maintenance of records of employee compensation and tenure as required.
- h) Supervise and coordinate the District maintenance section.

3. Property Responsibilities:

- a) Identify, supervise and order all necessary maintenance and repair along the road and report to the Board of Directors as prudent or required by policy.
- b) Be custodian of the key to the District Administrative Office.
- c) Supervise the maintenance and updating of the District map.
- d) Supervise the maintenance of the Administrative Building.
- e) Supervise and develop the physical security measures of the District.
- f) Obtain and recommend the letting and report to the Board all bids for construction/maintenance of District property and/or improvements.
- g) Review and authorize bona-fide due statements for authorization of payment of the Board of Directors.
- h) Receive and review all District mail.
- i) Responsible for Districts employee safety program.
- j) Authorization to expend funds for emergency use not to exceed \$5,000.

4. Responsibilities to the Board of Directors:

- a) Comply with all legal requirements pertaining to the meetings of the Board of Directors.
- b) At the Board's discretion, act as the Board's negotiator in legal, contractual and personnel matters.
- c) Prepare Board agendas, Board minutes and necessary background information for the Board.
- d) Provide information to the Board in order to secure approval of an annual insurance program.
- e) Advise the Board regarding actions by outside agencies that may be relevant to the operation of the District.
- f) Advise and recommend and/or revisions of policies to the Board of Directors.
- g) Attend all regularly scheduled meetings of the Beach Road Homeowners Association and report the proceedings to the Board of Directors.
- h) Be the representative of the Board of Directors to the State of California, the County of Orange, the City of Dana Point, as well as the residents and property owners within the District.

5. Business Responsibilities:

- a) Prepare the annual budget for approval by the Budget Committee and the Board of Directors.
- b) Arrange for annual Auditor's Report and Financial Statements.
- c) Supervise the general accounting and financial records of the District including payroll, taxes, legal requirements, workers compensation and budget compliance.
- d) Transact all Board approved purchasing and contracting matters.

CAPISTRANO BAY COMMUNITY SERVICES DISTRICT

DISTRICT MANAGER FUNCTIONS

The Capistrano Bay District was founded in 1959 as a Community Services District pursuant to California Government Code Section 61600 and authorized by Resolution No. 59-1354 of the Orange County Board of Supervisors to provide the following municipal services to the property owners of the Community of Capistrano Bay:

- Management of Revenue for Operations
- Police and Security Services
- Street Sweeping
- Trash Collection
- Maintenance of Landscaping and District-owned buildings and property
- Street Lighting
- Infrastructure Maintenance of Roads, Curbs Gutters and Drains
- Flood Control and Flooding Clean Up

Revenue to fund these services comes exclusively from the property taxes, user fees, and development impact fees paid by the property owners within the subdivision of Capistrano Bay Community. The District charges no other fees for providing the services listed above. There is no outside source of funding with the exception of occasional grant funding (reimbursements) for emergency services from State/Federal Emergency Disaster Declarations.

The District General Manager's duties and responsibilities primarily center around the procedures necessary to provide the services detailed above. Additional ancillary duties include:

- Monitor building permits for assessing Development Impact Fees on residential construction and remodeling projects.
- Follow the City, the County and the State for actions and legislation that could impact Beach Road revenue, environmental pollution and ocean water quality, District and property owner entitlements.
- Maintain diplomatic relations with neighboring outside agencies: Cities of Dana Point and San Clemente, County of Orange, Doheny State Park and Orange County Transportation Authority/Metrolink.
- Uphold open, consistent and respectful communications with the Board of Directors and property owners of the community.

MANAGEMENT OF REVENUE AND FINANCES

Sources and Contacts:

- Orange County Auditor/Controller (Property Tax Revenue)
- California State Controllers Office
- Local Agency Formation Commission (LAFCO of Orange County)
- California Special Districts Association (CSDA)
- Independent Special Districts of Orange County (ISDOC)
- Farmers & Merchants Bank (District Depository)
- Wells Fargo Bank San Clemente (secondary bank)
- Local Agency Investment Fund (LAIF)
- Wells Fargo Bank Los Angeles AD 99-1 Fiscal Agent
- David Taussig & Associates (AD 99-1 Assessment Engineer)
- Charles Fedak & Co (District Auditor)
- Linda S. Halley (District Bookkeeper/payroll)
- District User Fee (Assessed to Homeowners)
- RR Parking Fees (Assessed to Homeowner participants)
- Development Impact Fees (on new construction & major remodels)
- Encroachment Fees (assessed on street/pavement openings)
- Monthly reporting to the Board

POLICE AND SECURITY SERVICES

Contractors:

- Securitas Security Services Inc. 714-935-5900 (Brian Sanchez)
- Securitas Special Operations 714-978-3165 (Bert Szathmary)

Securitas enforces most of the general security and public safety ordinances such as:

- animal leash laws
- recreational wood burning fires on the beach
- trespassing/loitering/vagrancy
- street and private property parking
- party noise after 10 PM

The District is authorized by the Orange County Superior Court and the Board of Supervisors to create and enforce ordinances of the Capistrano Bay District. The violations listed above are generally enforced and corrected by the staff of security guards provided by Securitas.

SPEED CONTROL AND ENFORCEMENT

The District maintains and enforces a 15 MPH speed limit on its roadway. This is partly achieved through the placement of several unique speed bumps (technically called speed cushions) that force drivers to slow down when approaching. Additionally, there are stop signs to provide some element of traffic calming and pedestrian safety.

The primary element of speed control and enforcement rests with the District's Police Officer. This officer is a POST certified off-duty Orange County Sheriff Deputy who is employed directly by the District on a part-time basis to enforce the speed limit. This officer wears a distinct uniform of the District, is armed and drives a distinctly marked police vehicle equipped with blue, red and amber lights. His written citations are processed directly through the OC Superior Court Traffic Division. Violators pay fines the same as they would from any other traffic officer in Orange County.

FOURTH OF JULY PUBLIC SAFETY

Securitas provides the District with a 3-man contingent of armed ex-police officers who patrol the beach on ATV's on the Fourth of July holiday. These officers work in tandem with the District's Police Officer and several extra security guards to patrol the entire community regulating unsafe fireworks, loose dogs, loud and belligerent parties, illegal beach fires and managing parking problems.

STREET SWEEPING

Contractors:

- Coastal Sweeping and Maintenance 714-279-9898 (Tyler McCarty)
- Greens's LS Service 949-874-6012 (Clark Green)
- Luna LS Service 949-413-1473 (Rick Luna)

Street sweeping is contracted (Coastal Sweeping) on a once per week schedule on Tuesdays. They vacuum sweep the entire road from the North Gate Maintenance yard to the southern end at Poche. They use a vacuum truck that follows a man on the ground with a backpack blower. The man on foot blows leaves and debris out from parked vehicles and along the curb. The truck comes behind and vacuums up the debris. This sweeping is critical for keeping debris out of the storm drain catch basin filters.

Green's LS Service is contracted also on a once per week schedule (Fridays) to blow/sweep the community entrance area driveways and south along the road and parking lot to where the homes begin.

Both contractors perform other maintenance services for the District that are described under other sections.

TRASH COLLECTION

Contractor:

- CR&R Waste Collection 877-728-0446 (to request dumpsters/trash barrels)
- CR&R Operations Mgr 949-254-1779 (Mike Campuzano)
- CR&R Route Mgr 949-254-1738 (Giovanny Cisneros)

The District contracts for this service through CR&R Inc. This contractor provides contract waste collection for the City of Dana Point area including Capistrano Beach and Beach Road.

RESIDENTIAL COLLECTION

CR&R collects trash and recycle waste on Beach Road on Mondays. Their service includes pulling the trash and recycle barrels out of the enclosures and placing them at the curb and then returning the emptied barrels back into the trash enclosures at the end of the day.

Additionally, the District has organized a special Friday trash-only (no recycle) collection during the summer months. The weekly rental activity during the summer months generates enormous and unusual amounts of trash making it necessary to run a second collection service each week. Since this extra trash collection service was created to serve the needs of the rental population in the community it is charged as an additional fee to the property owners who have chosen to participate. As of 2010, the total fee for this extra service for the entire 14 weeks of summer is \$60.00 and is billed directly to the participating property owners at the end of the season in September.

DUMPSTER AND TRASH BARREL REQUESTS

The District maintains two small 3 yard dumpsters in the northgate maintenance yard for access and use by the community. The blue dumpster is for general trash and the white dumpster is for green waste. These are emptied by CR&R twice each week. Property owners wanting to use the dumpsters must fill out a short information sheet at the guard shack indicating what they are dumping, their name and contact phone number.

For ordering a special large dumpster for annual spring cleaning or additional pickups of the community dumpsters or problems with the weekly residential collection, calls should be made to the general number at 877-728-0446. The operations and route managers are typically contacted if a problem persists or if it is related to the special summer collection program.

MAINTENANCE OF LANDSCAPING & DISTRICT-OWNED BLDGS.

Contractors:

- Coastal Sweeping and Maint. 714-279-9898 (Tyler McCarty)
- Green's LS Service 949-874-6012 (Clark Green)
- Luna LS Service 949-413-1473 (Rick Luna)
- America West Fence Co 949-632-1206 (Steve Craig)

**missing painters, block wall repair, Armor Fence Concepts*

The District owns the roadway and the Northgate maintenance yard. Within the entire community the only common areas of District responsibility are:

- ALL of the vegetation inside the fences from the Northgate maintenance yard south to where the homes begin (35051) including the Mexican fan palms (29 total).
- MOST of the tall palms along the RR side of the roadway between 35121 and 35757 Refer to the PalmTreeTrimList.doc for specific addresses (23 total).
- the bougainvillea growing on the fence along the seaward side from the entrance south to where the homes begin at 35051.

All other vegetation within the community is the responsibility of the private property owners:

- everything in their respective yards along the seaward side of the road
- everything directly across the road from their respective homes except for the tall palms listed above (refer to the section describing the RR Parking Lease).

Occasionally there is a need for one or several laborers to handle some special task for the District. Luna LS Service provides the best semi-skilled laboring service for a variety of miscellaneous work from repairing a broken sprinkler to mixing/pouring concrete for a post, etc. to hauling debris to the landfill.

STREET LIGHTING

Contractor:

- Sempra Utilities 858-654-1218 (Linda Bustard)
Streetlighting@semprautilities.com
lbustard@semprautilities.com
- SDG&E 949-361-8015 (Mike Troyer)

The District contracts for this service (electricity consumption only) through Sempra Utilities. There are **43** street lights in the community beginning with the first unit in our North Gate maintenance yard and continuing south to 35857 Beach Road, the last residence at the extreme southern end of the road at Poche.

Repairs to problem lights are funded by Sempra Utilities – there is no cost to the District for this maintenance service. The power company owns the lighting and pays for repairs and replacements at no cost – the District only pays for the electricity used each month.

Monitoring of the lighting is shared between the various night shift patrol officers. When a light is observed to be flickering, not illuminating, etc. it is reported to District staff who then contact the power company via email at Streetlighting@semprautilities.com . Only when lights are not repaired within 2 weeks do we contact the supervisor directly. The most effective contact for the supervisor is through her email.

To arrange for having additional lights installed or possibly relocated, service requests must go through SDG&E locally in San Clemente – contact Mike Troyer.

INFRASTRUCTURE MAINTENANCE – ROADS/CURBS/GUTTERS/DRAINS

Contractors:

- Pavement: Caliber Paving/Joe Rodriguez 714-476-3458
American Asphalt/Mike Inzano 949-292-2262
Laguna Asphalt/Elliot 949-493-2556
Hardy & Haper Paving 714-444-1851

- Drain Catch Basins/Pipes
Greeks Concrete/Doug Greek 949-466-9329
Kunos Grading/Greg Kuno 949-795-5890
Wetzel Concrete/Bob 714-538-9605

PAVEMENT

Pavement maintenance also includes concrete that is appurtenant to the road such as curbs and gutters, surface drain swales and redirection swales into catch basins. In addition this includes crack sealing, slurry sealcoating and striping. Pavement contractors typically handle all of these elements.

DRAIN CATCH BASINS/PIPES

Separate from typical pavement work, drain catch basins are more complicated than a basic curb and gutter installation, and are typically constructed by concrete specialists to ensure proper carrying capacity, inlet and discharge elevations, debris filters and access manholes. All of this specialty work is complicated here on Beach Road by the interface between the discharge end of a drain pipe out on the beach and damaging ocean wave action.

FLOOD CONTROL AND FLOODING CLEAN UP

Contractors:

- Universal Excavating 949-338-2538 (Kent Buechner)
- Green's LS Maintenance 949-874-6012 (Clark Green)
- Luna LS Maintenance 949-413-1473 (Rick Luna)
- United Stormwater Inc. 877-717-8676 (Ramon Menjivar)
- Coastal Sweeping 714-279-9898 (Tyler McCarty)

The District's responsibilities in this area are varied. Some of the work is handled by hand crews with shovels and digging tools, some is performed with track driven excavating equipment, street sweeping trucks (for clean up on the street) and vactor trucks for the storm drain filter cleaning on the street.

STORM DRAINS

The District maintains ten storm drain outfalls on the beach. These pipes, from 21" to 36" in diameter run under Beach Road and terminate on the beach roughly mid-way from the homes to the shoreline. Seasonally, the drains are ignored through the dry season and actually become buried under sand and cobble as a result of continuous tide action.

In preparation for the rainy season, the District contracts with a local operator (Universal) to clear debris from the outfalls with the use of a small rubber-track excavator. The unit is small, quiet, does not tear up the beach while traversing from one end to the other and is precise in moving the necessary amount of accumulated debris.

It is sometimes necessary, once the sand and cobble have been cleared, to bring out a hand crew (Green/Luna) to reach up into the exposed drain pipe and dig out any hardened accumulation inside the pipe. Sand, along with sediment from upstream and seawater have a tendency to create a hardened material when left alone for a season and the workers need to bust this stuff up and pull it out when it is present.

Preparation should begin in early September with close monitoring of the long range weather forecasts from the National Weather Service. The first clearing of storm drains should be performed at this time. Coordinate the work to occur during the low tide cycle so equipment and manpower is not threatened or impacted by an incoming tide. This work must be performed well in advance of the rainy season so an assessment of outfall conditions can be made and repairs/maintenance performed ahead of the coming rain storms.

DRAIN FILTERS

Within the District's storm drain system are 33 drain boxes (catch basins) with filters that require regular cleaning (United Stormwater Inc.- vactor truck). All filters are located in the drain boxes throughout the community along the roadway. In addition, there are several curb-cut drain filters along the curb line at the community entrance.

Most of the filter locations can be easily found under the traffic grates that sit over the drain boxes in the roadway. The filters are simply a large-mesh flexible plastic fabric, like a big bag, fastened into a rectangular steel frame that fit snugly inside the drain box openings just under the lift-out traffic grates. On a regular basis, leaves, small bits of trash, blowing sand and dirt and other fine sediments will collect in the filters and they must be cleaned out. This can only be performed by a vacuum process (vactor truck) as all debris must be collected and removed from the site as ordered by the State Water Quality Control Board.

All filters must be visually checked several times through the rainy season to be certain they are clean and free of debris. Clogged and dirty filters will not allow runoff water to pass through into the drain system and will cause a backup onto the street which can very quickly flood garages and can get so deep as to prevent vehicles from passing through.

FLOOD CLEANUP

In the event of backed up drains that flood the roadway, there is always the resultant deposit of sticky, gummy mud and sediment left behind as the backed up drain is cleared and the flooded area finally drains out.

The first step in the clean up effort is to scoop up the majority of mud (Green/Luna) into the bucket of the Bobcat grading equipment (Universal) and get it into a dump truck for removal from the site. Through the use of square scoop shovels, squeegees and bristle brooms a great majority of the mud can be collected.

The second step is to get the wash down hoses and hook them up to the water truck (Universal) and hose out the remaining mud and sediment into the storm drain.

This is difficult and expensive work and can be avoided if regular maintenance of the drain system is performed as described:

- watch the weather forecasts religiously beginning in September
- keep the drain outfalls clear
- keep the drain filters clean and operable
- follow the tide calendar and coordinate beach work at low tide
- avoid flood cleanup to the greatest extent possible