

# ITEM 5a

**REGULAR MEETING #706  
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS  
MINUTES  
REGULAR MEETING 4:30 PM  
Thursday, June 27, 2024  
OPEN TO THE PUBLIC**

**1. CALL TO ORDER**

District Manager Russell called the regular meeting to order at 4:30 PM

**2. PLEDGE OF ALLEGIANCE**

District Manager Russell led attendees in the Pledge of Allegiance

**3. ROLL CALL**

Directors Present:	McNulty, Jenkins, Misher and Lurner
Staff:	Manager Russell
Absent:	Karen Morris, Robert Stabenow
Agents:	None
Contractors/Consultants:	None
Guest Attendees:	Marcella Seidensticker, Jay Champlain (Director Candidates)

**4. PUBLIC COMMENTS**

There were no public comments

**5. APPROVAL OF MINUTES**

**a. Meeting #705 of April 30th, 2024**

Motion was made by Board Pres. McNulty, seconded by Director Lurner and approved by a vote of 3-0-1 (Director Misher late) to accept the minutes of meeting #705 of April 30th, 2024.

**6. SANDAG – REGIONAL BEACH SAND REPLENISHMENT (RBSP III)**

The SANDAG quarterly meeting scheduled for June 6<sup>th</sup> was cancelled due to lack of quorum. The next quarterly meeting will be held on Thursday, September 5<sup>th</sup>, to which the Manager will attend. At that time there will be a progress report on the Feasibility Study and Economic Analysis of sand replenishment for Dana Point and San Clemente.

**7. SHORELINE ADVISORY COMMITTEE**

**a. CDP applications**

The Miller CDP application was submitted to City Planning on Friday, June 14<sup>th</sup>. With this project on its way, the Committee can now turn its energies to the Ong CDP application. Progress to date on the Ong project are the topographic survey and a title report depicting appurtenant easements.

**b. MHTL Summer Survey**

The summer survey was conducted on Monday, June 10<sup>th</sup>. The data from the survey will be available to the District the week of July 1, then we can compare how the MHTL has moved since January.

# ITEM 5a

## 8. SECURITY REPORT

### a. Security Monthly Report for May/June 2024

*\*Refresher comments from last month:*

Manager Russell pointed out that with the loss of the District Police officer, Security is going to have to pick up the slack on speed monitoring. PC Stabenow pointed out that the speed radar gun has been installed in the security vehicle and we only need to instruct the patrol officers to commence with running radar speed checks at random times throughout their shifts and keeping a log of violators. If repeat offenders are service or guests, the District can ban their access as a penalty for speed violations.

Discussion ensued regarding continuing problems with losing officers and having to continually be training new personnel. Director Lurner pointed out this is likely a function of wages and requested AUS management to be in attendance at the next Board meeting to discuss. Lurner also stated that with the loss of our Police Officer, the District should be taking more advantage of the local Dana Point PD for speed control.

### b. Speed Bumps/OCFA Plan Check

A proposal for additional speed bumps and replacement of some existing speed bumps was submitted to OCFA Planning on May 14<sup>th</sup>. Turn around for these type of projects is typically six weeks or more, so we should be hearing from a Fire Inspector very soon. This project will help with the speeding issue here in the community, since April when our police operations were terminated.

## 9. FINANCE

### a. FY2025 Revenue Budget

The complete FY25 operational budget will be ready for review in July. In order to keep expenses functional after June 30<sup>th</sup>, the Board must approve the Draft Revenue Budget:

**Motion** was made by Director Lurner, seconded by Director Misher and approved by a vote of 4-0 to approve the FY25 Revenue of \$1,932,348.00

### b. Monthly Expense Report

The expense report through May 2024 was received and filed. The end of the fiscal year closeout report will be available in late July.

### c. CD Participation

The District just opened a 91-day CD at Farmers & Merchants Bank at 4.5%. Manager Russell expressed some uncertainty that we could maintain that interest rate when this CD matures and we roll it over for another 91 days. FMB regular CD rates are actually below 1% so the District is going to have to shop around, starting now.

## 10. NEW BUSINESS

### a. Pines Park Storm Drain Flooding

Manager Russell has finally reached the proper agent with Orange County Flood Control District, Joshua Goldsmith with Orange Co Public Works, who has provided the name/phone number for reporting the flooding problem to the appropriate department, to wit; Sean Bengston with OC Parks.

## ITEM 5a

### **b. Appointment of Interim Director**

Homeowners Marcella Seidensticker and Jay Champlain have both offered their time to fill the remaining six months of Director Wiersig, who stepped down last month. The Board has reviewed the candidates bios and background and have taken the following action:

**Motion** was made by Director Misher, seconded by Director Lurner to approve the appointment of Jay Champlain by a vote of 3-0-1 (did not receive a vote from McNulty), to occupy the remaining months of the term of Director Will Wiersig.

Manager Russell explained that this is only through the end of December when the Community will have to elect a director for the upcoming four-year term.

### **c. Repairs to Damaged Overflow Parking Areas**

The District had to have an inspection from the City to determine to what extent an environmental evaluation would be required to repair the damaged parking surfaces. It turns out that if the District replaces the surfaces with additional crushed rock aggregate (3/4 to 1 inch) no permits are required.

### **d. Proposed Storage Annex Building**

The District is growing out of the current 10x20 office structure and is in need of an additional 10x12 storage structure in the adjacent security vehicle parking space. The Board is, for the most part, in agreement but would like to see some cost estimates and so directed staff for bids.

## **11. QUALITY OF LIFE - CBRA DISCUSSION ITEMS**

There was no report for this month.

## **12. WRITTEN COMMUNICATIONS**

Support letter from the Schwada law firm representing the Coalition to Protect Capistrano Beach.

## **13. BOARD AND STAFF COMMENTS**

There were no comments.

**ADJOURNMENT:** Manager Russell adjourned the meeting at 5:40 PM.

**NEXT BOARD MEETING:** Tuesday, July 23rd, 2024 at 6:00 PM.

# ITEM 5a

**ATTEST:**

**State of California**            )  
**County of Orange**            )  
**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 #706, held on June 27th, 2024.

Donal S. Russell  
DONAL S. RUSSELL, Manager  
Capistrano Bay Community Services District

July 22, 2024  
DATE