

# ITEM 5a

**REGULAR MEETING #708  
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS  
MINUTES  
REGULAR MEETING 6:00 PM  
Tuesday, August 27, 2024  
OPEN TO THE PUBLIC**

**1. CALL TO ORDER**

District Manager Russell called the regular meeting to order at 6:00 PM

**2. PLEDGE OF ALLEGIANCE**

District Manager Russell led attendees in the Pledge of Allegiance

**3. ROLL CALL**

Directors Present:	McNulty, Misher, Lurner and Champlain
Staff:	Manager Russell, Karen Morris, Robert Stabenow
Absent/Resigned:	Director Jenkins
Agents:	Juan Arellano, AUS Security
Contractors/Consultants:	None
Guest Attendees:	None

**4. PUBLIC COMMENTS**

There were no public comments

**5. APPROVAL OF MINUTES and SWEARING IN OF NEW DIRECTOR**

**a. Meeting #707 of July 22, 2024**

Motion was made by Director Champlain, seconded by Board Pres. McNulty and approved by a vote of 4-0 to accept the minutes of meeting #707 of July 22, 2024.

**b. Appointment/Swearing in New Director Marcella Seidensticker**

With the resignation of Director Jenkins, the Board must appoint a replacement Director:

Motion was made by Director Misher, seconded by Director Lurner and approved by a vote of 4-0 to appoint Marcella Seidensticker to the Board of Directors to complete the remaining four months of Director Jenkins term of office.

Manager Russell administered the Oath of Office to new Director Marcella Seidensticker. The record of this will be forwarded to the Orange County Registrar for filing and updating our District document file.

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

*The next quarterly meeting of the Shoreline Preservation Working Group is set for September 5<sup>th</sup>.*

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### 7. SHORELINE ADVISORY COMMITTEE

#### a. **Miller/Ong CDP applications to the City/Draft Resolution No. 08-27-24**

After lengthy discussion, the Board took the following action to lift the temporary hold on this project:

**Motion** was made by Board Pres. McNulty, seconded by Director Seidensticker, and passed by a vote of 5-0 to approve passage of Resolution No. 08-27-24, thereby releasing the temporary hold that had been ordered at the July meeting, with the request that staff keep in close contact with counsel on progress with the Casa Mira HOA vs CCC case through the next several months.

#### b. **MHTL Summer Survey**

Manager Russell reported that tide conditions were finally suitable for allowing staff to conduct the photo project whereby the actual MHTL survey data collected in June is converted into beach photos to depict the location of the mean high tide line along our beach at each of the 22 control points.

### 8. SECURITY REPORT

#### a. **Security Monthly Report for August 2024 and Wages Discussion**

*The monthly report was received and filed.* After continued discussion from last month's request for wages information from AUS, the Board directed staff to make the following contract increase for the current fiscal year budget, to be effective as of September 1st, with all increases based on performance:

- no more than \$1.50/hr increase through December 31, 2024
- no more than another \$1.00/hr increase from January 1 through June 30, 2025
- no more than an additional \$1.00/hr increase beginning July 1, 2025

The Board also directed staff to immediately increase the current staff gas allowance to one tank fillup per officer per month.

#### b. **Speed Bumps/OCFA Plan Check**

Manager Russell provided the Board with the proposed locations for the two new speed bumps that have been approved by OCFA. After some discussion it was agreed that the proposed location at 35361 is to be relocated to 35321 Beach Road, which is more mid-way between the existing speed bumps at 35261 and 35431.

### 9. FINANCE

#### a. **FY2025 Expense Budget**

With the changes requested by the Board to the security contract, the FY25 budget will not be approved at this meeting and will have to be adopted at a special budget meeting in mid-September, with the date to be announced.

#### b. **Monthly Expense Report**

*The expense report through July 2024 was received and filed.*

### 10. OLD BUSINESS

#### a. **Pines Park Storm Drain Flooding**

Manager Russell reported that a submittal packet with sketches and photos has been prepared and is ready to submit to OC Parks for their review – this is intended to help minimize the flooding potential at this drain facility during the monsoonal rain events that occur every few years. While there is no promise from the County to enter into any agreement, this proposal is inexpensive and would help diminish the liability on the part of the County for the flood damage. It is intended that the District, along with the County and the homeowner at 35061, would share in the cost of alterations.

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**11. NEW BUSINESS**

*There is no new business*

**12. QUALITY OF LIFE - CBRA DISCUSSION ITEMS – SHORT TERM RENTALS**

*There was no business to discuss under this agenda item*

**13. WRITTEN COMMUNICATIONS**

*There were no written communication*

**14. BOARD AND STAFF COMMENTS**

*There were no comments.*

**ADJOURNMENT:** Manager Russell adjourned the meeting at 7:38 PM.

**NEXT BOARD MEETING:** Tuesday, September 24th, 2024 at 6:00 PM.

**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 a *DRAFT* copy of the Minutes of Meeting #708, held on August 27, 2024.

*Donal S. Russell*

DONAL S. RUSSELL, Manager  
Capistrano Bay Community Services District

*August 30, 2024*

DATE