

# ITEM 5a

**REGULAR MEETING #711  
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS  
MINUTES  
REGULAR MEETING 6:00 PM  
Tuesday, December 10, 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, Champlain and Seidensticker
Staff:	Manager Russell, Karen Morris, Robert Stabenow
Absent:	Director Lurner
Agents:	None
Contractors/Consultants:	Robert Stabenow, Allied Universal Security
Guest Attendees:	None

**4. PUBLIC COMMENTS**

*There were no public comments*

**5. APPROVAL OF MINUTES**

**a. Meeting #710 of October 29, 2024**

Motion was made by Director Champlain, seconded by Board Pres. McNulty and approved 4-0-1 (Lurner absent) to accept the minutes of meeting #710 of October 29, 2024.

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

**a.** The *Economic Analysis and Feasibility Study* for the cities of Dana Point and San Clemente are progressing with completion expected sometime in 2025. Of note in the quarterly meeting on December 5th were comments made by the Deputy Director indicating that further discussions on the idea of acquiring a hopper dredge are developing. This could include the five Southern California counties of Santa Barbara, Ventura, Los Angeles, Orange and San Diego if it were to come to fruition.

**7. SHORELINE ADVISORY COMMITTEE**

**a. Miller/Ong CDP applications to the City**

Final submittal of long awaited coastal engineering corrections has reached the entitlement consultant, April Winecki, who will need time to put the package together for sending back to the City. This is expected to be submitted before Christmas with City response sometime after the new year.

**b. Casa Mira HOA vs CCC**

Counsel for the Committee expects the Appellate Court to uphold their earlier tentative opinion. The hearing is on the calendar for Wednesday, December 11<sup>th</sup> at 9:30 AM. Once the Appellate Court issues their final opinion, Casa Mira has indicated they will petition the State Supreme Court. The Committee

## ITEM 5a

is in support of submitting a support letter to the Supreme Court urging them to take up the case. The attorney's fee is capped at \$10,000. After some discussion, the Board took the following action:

**MOTION** was made by Director Misher, seconded by Board Pres. McNulty and voted 4-0-1 to approve the fee of \$10,000 with the condition that counsel can bring the City of Dana Point in to co-sign on the letter.

### **c. Addition to the MHTL Survey Program**

For the past 21 years, the District has been measuring beach profiles and MHTL on the visible part of the sandy beach – this is from the back beach out to the water line. There is the possibility that we could augment this data collection by expanding the survey profiles out to a water depth of 35-40 feet. This will help to give us a picture of the underwater portion of the beach.

Early proposals are in the range of \$15,000, added to the current budget of \$17,000. More information is needed to fully understand the value of this additional data collection, but staff wanted to begin the conversation to keep the Board informed. There will be more to report at the January Board meeting.

### **d. Sediment Management/State Program**

Manager Russell attended an afternoon workshop to learn about a state program designed to bring agencies with beach quality sand together with other agencies in need of sand, called *SediMatch*. The State has certain requirements for participation and additionally, the District would have to somehow solve the logistics problem of how to truck sand to our beach from an inland location. Currently, the only beach access is through the District's vacant lot – a great solution until we want to run 300 dump trucks through that location. This could be part of a larger beach replenishment program but still would have to procure a Coastal Development Permit, an Environmental Impact Report (EIR) and Army Corps of Engineers Permit plus the funds to pay for trucking and infrastructure repairs afterwards.

### **e. City of Oceanside RE:BEACH Pilot Program**

The City of Oceanside has progressed with this pilot project to the point of designating two locations on the beach as the best candidates for the 'Living Speed Bump' project that includes an offshore submerged artificial reef positioned in between the two living speed bumps on the beach. These living speed bumps are simply artificial land projections that extend from the back beach out about 50 feet into the water, kind of like groins or shortened jetties. The difference being that these are built on a boulder riprap foundation and covered with sand and earth, vegetation, grass and other aesthetic elements for a much more pleasant visual effect. With their CDP already in hand, the City is moving to bring this to reality in the next 18 months. The District will be closely monitoring the progress.

## **8. SECURITY REPORT**

### **a. Security Monthly Report for Oct/Nov 2024**

*The monthly report was received and filed with no comments.*

## **9. FINANCE**

### **a. Monthly Financial Report through Oct2024**

*The financial report was received and filed*

### **b. Review/Approval of the Draft Financial Audit for FYE June 2024**

**MOTION** was made by Director Champlain, seconded by Director Seidensticker and voted 4-0-1 (Lurner absent) to approve the Draft Financial Audit for fiscal year ending June 2024, as presented.

# ITEM 5a

**10. OLD BUSINESS**

*There was no old business except that discussed under Agenda item 7*

**11. NEW BUSINESS**

*There was no new business*

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

*Nothing to report from the CBRA or the City on STR's*

**13. WRITTEN COMMUNICATIONS**

*There were no written communications*

**14. BOARD AND STAFF COMMENTS**

*No Board or Staff Comments*

**ADJOURNMENT:** Manager Russell adjourned the meeting at 7:15 PM.

**NEXT COMMITTEE MEETING :** Thursday, December 12th at 10:00 AM via Zoom

**NEXT BOARD MEETING:** Tuesday, January 28th 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 #711, held on December 10th, 2024.

Donal S. Russell

DONAL S. RUSSELL, Manager  
Capistrano Bay Community Services District

December 11, 2024

DATE