

# ITEM 5a

**REGULAR MEETING #716  
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS  
MINUTES  
REGULAR MEETING 6:00 PM  
Tuesday, June 3, 2025 (May Meeting)  
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**

PC Robert Stabenow led attendees in the Pledge of Allegiance

**3. ROLL CALL**

Directors Present:	McNulty, Misher, Seidensticker and Champlain
Staff:	Manager Russell, Karen Morris
Absent:	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 #715 of April 29, 2025**

Motion was made by Director Champlain, seconded by Board Pres. McNulty, and approved 4-0-1 (Lurner absent) to accept the minutes of meeting #715 of April 29, 2025.

**6. THIS ITEM LEFT BLANK**

**7. SHORELINE COMMITTEE**

**a. Miller CDP application to the City**

The second round of plan check corrections has been completed and submitted back to the City on May 14<sup>th</sup>. The City has 30 days to complete their review and reply to the District. A third round of corrections will require additional oversight by the Shoreline Committee.

**b. South Orange County Beach Coalition**

The Committee is working closely with the Coalition staff to advance our position that the shoreline erosion issue is directly related to lack of sediment coming out of the San Juan Creek. Being this early to the table gives the Committee a better chance to guide the direction of the Coalition.

**c. Response to Coastal Commission Letter of April 23rd**

Committee Counsel Stan Lamport crafted a reply to the CCC letter of April 23<sup>rd</sup>, which was sent to the CCC on May 23<sup>rd</sup>. The main point in the letter was to point out that the alleged violations are within the City jurisdiction where the CCC has no enforcement power. Anticipating that the CCC will then try to go after the City to cede their jurisdiction, counsel has met and advised the City to be

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expecting a call from the Coastal Commission, with advice on how to respond to them.

### 8. SECURITY REPORT

#### a. **Security Monthly Report for April 2025**

Since getting the patrol vehicle radar equipment repaired, Security has been running random speed checks and including a monthly summary report. To the question of how Security is dealing with speeders, PC Stabenow explained that after the second warning with construction workers, delivery services, etc., the violator is banned for a week from entering the community and upon return must show their DL, registration and proof of auto insurance or get denied access.

On the matter of the lack of accountability with the electronic patrol checkpoints as requested by Director Lurner at a previous meeting, PC Stabenow reported that we have a meeting with the Heliaus agent to learn more about how the system works, establish additional e-check points and to customize a monthly report that shows a record of when the e-check points are activated by the patrol officers during their shifts.

The discussion then turned to nails and screws in the roadway and the request was made as follows:

- provide a regular notice to all work sites to sweep up the road way at the end of the work day
- check around to other private communities for how they deal with nails and screws

### 9. FINANCE

#### a. **Monthly Financial Report through April 2025**

*The financial report was received and filed.* Manager Russell added that staff is currently working on the budget for the new fiscal year starting July 1. While reviewing Committee expenses, Director Seidensticker revisited the concern for more oversight with expenses on the part of the Committee's counsel, Stan Lamport. After some discussion, Director Misher offered the following action:

**MOTION** was made by Director Misher, seconded by Director Seidensticker and voted 3-1-1 (Lurner absent) to establish stronger oversight on Shoreline Committee legal expenses.

#### b. **Offer from California Bank of Commerce (CBC)**

Bank representative Jerry Legg was not present to engage in the discussion so this item has to be moved to the next Board meeting on Tuesday, July 1<sup>st</sup>. CBC is offering 4.28% on Money Market accounts but there are some downsides that may make this a less attractive offer and need to be considered.

### 10. OLD BUSINESS

#### a. **Roadway Sealcoating and Repairs**

Manager Russell reported that the speed bumps have been replaced and coming this month the District will be sealcoating and striping the entire roadway. Owners will be given at least 10 days notice as there will be some roadway closures and traffic interruptions.

### 11. NEW BUSINESS

*There was no new business except under agenda item 9b above.*

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

Admin. Assistant Karen Morris explained that the City is using a new outside vendor for tracking rentals, permit compliance and TOT payments. Morris also pointed out that the District has an ordinance prohibiting animals in rentals and will begin a more proactive enforcement by turning renters away at the gate when they arrive with dogs – this will come after notification to rental managers and owners.

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### **13. WRITTEN COMMUNICATIONS**

*There were no written communications*

### **14. BOARD AND STAFF COMMENTS**

*Director Seidensticker* – Requested Manager Russell to continue working on District Manager Job Description/Retirement procedure and keep the topic on the agenda

*Director Misher* – Requested the District Rules and Regulations be more regularly provided to homeowners

**ADJOURNMENT:** Manager Russell adjourned the meeting at 7:05 PM.

**NEXT SANDAG MEETING:** Thursday, June 5<sup>th</sup>, 11:30 AM, San Diego

**NEXT COMMITTEE MEETING :** Tuesday, June 10<sup>th</sup> at 10:00 AM via Zoom

**NEXT BOARD MEETING:** Tuesday, July 1st 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 #716, held on June 3rd, 2025.

*Donal S. Russell*

DONAL S. RUSSELL, Manager  
Capistrano Bay Community Services District

*June 5, 2025*

DATE