

ITEM 5a

**REGULAR MEETING #719
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES
REGULAR MEETING 6:00 PM
Tuesday, August 26, 2025
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

Manager Russell led attendees in the Pledge of Allegiance

3. ROLL CALL

| | |
|--------------------------|------------------------------------------------------|
| Directors Present: | McNulty, Misher, Lurner, Seidensticker and Champlain |
| Staff: | Manager Russell, Karen Morris |
| Absent: | None |
| 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 #718 of July 28, 2025

Motion was made by Director Misher, seconded by Director Seidensticker, and approved 5-0 to accept the minutes of meeting #718 of July 28, 2025.

6. THIS ITEM LEFT BLANK

7. SHORELINE COMMITTEE

a. Miller CDP application/Plan Check Progress

The third round of plan check corrections will be completed and submitted to the City on August 27th. While this is now in the hands of the City, our consultants still have to prepare the LCP consistency analysis (already in progress) plus our consultants will have to provide input in the staff report, especially with the details in the legal argument. Also, the City legally has 180 days to get the application in front of the Planning Commission.

b. South Orange County Beach Coalition

The Shoreline Committee has been trying to encourage the City of Dana Point to participate in this new group formed recently by the County. The City Manager has expressed hesitancy as there are some unanswered questions that are of concern. The City has requested, and an all-stakeholders meeting is scheduled for Monday, September 15th, to allow for round table discussion and Q&A.

ITEM 5a

8. **SECURITY REPORT**

a. Security Monthly Report for June/July 2025

Manager Russell explained that while AUS has now set up the electronic e-checkpoints (five total) for patrol officers, a readable report format is still in the works and requires a bit more creative input. The default reports built into the Heliaus checkpoint system do not provide an easy-to-read report, and given the proprietary nature of the program, the Security Supervisor has to create a custom spreadsheet type of format that Board members can easily glance through to see where and when security issues have occurred.

Board members requested to have a look at whatever reports are normally produced by the Heliaus program to see how the reports are structured. PC Stabenow will provide a Heliaus report for the Board by Friday.

Directors Seidensticker and Lurner turned the discussion to the use of the District's vacant lot by nearby STR renters, expressing concern with liability exposure. The request was made to add more NO TRESPASSING and NO CLIMBING ON THE ROCKS signs. In addition, an informative letter should be mailed to all STR owners and their property managers reminding them that the vacant lot is private property and to educate their renters that there is no beach access at this location. One more point made by Director Lurner was to inform the rental owners that any reference to beach access over the District lot, on their rental websites, must be deleted.

9. **FINANCE**

a. Monthly Financial Report

The report was received and filed with no discussion

10. **OLD BUSINESS**

a. Mgr Job Description

For tools to help organize the myriad of details that make up the District Manager's spectrum of duties and responsibilities, the Board suggested making use of today's artificial intelligence technology that can transform recorded notes, spoken into a smart phone, into an organized readable form. The Board asked that this be completed by December.

b. Disaster Preparedness Plan

Director Misher suggested consulting with the City Emergency Management Dept. and/or the OC Sheriff's Dept. for guidance. It was also suggested to research online for private emergency management consultants.

c. NO TRESPASSING Signage

This was discussed earlier under agenda item 8a.

d. Roadway Sealcoating Project

This is simply a reminder notice that the District will be commencing with this project on Tuesday, September 16th through Friday, September 19th.

11. **NEW BUSINESS**

a. District Vacant Lot/Concern over Potential Prescriptive Rights

While this is a real-world possibility, the placement of proper NO TRESPASSING signage on the District's vacant lot and maintaining an ongoing security vigilance will prevent someone from accumulating the long-term unfettered use record that is a requisite for perfecting a prescriptive right.

ITEM 5a

b. Storm Drain at District Vacant Lot

The request by the Board for this storm drain, as a first step, is to research the chain of ownership, dating back to the earliest document available, which in this case is from 1945, for the purpose of investigating the possibility of redesigning and rebuilding the open channel into a covered drain system, the cost of which might be shared by the District and others.

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

Director Lurner expressed concern that there are still two unpermitted STR's operating on Beach Road. Manager Russell offered to directly contact the City Manager to find out why these unauthorized rentals are still being allowed by the City and what action is being taken to end the problem.

13. WRITTEN COMMUNICATIONS

a. Letter from the Coalition to Protect Capistrano Beach

Received after the submittal deadline and circulated to the Board by email for review.

14. BOARD AND STAFF COMMENTS

Director Seidensticker reminded staff to keep up with the signage on the District's lot.
Director Lurner reminded staff to continue researching ownership docs of the storm drain at 35071.
Director Misher asked that Susan McCabe business be included in next month's meeting.

ADJOURNMENT: Manager Russell adjourned the meeting at 7:23 PM.

| | |
|-----------------------------------------------|-------------------------------------------------------------------|
| NEXT BOARD MEETING: | Tuesday, Sept. 30 th , 6:00 PM in person and Zoom |
| NEXT SANDAG MEETING: | Thursday, Sept. 4 th , 11:30 AM, San Diego |
| NEXT So. County Beach Coalition Meet : | Monday, Sept. 15 th , 3:00 PM |
| NEXT COMMITTEE MEETING: | Tuesday, Sept. 23 rd , 10:00 AM |
| SMART COAST CALIFORNIA: | Policy Summit Thursday, Oct. 16 th (all day in person) |

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 #719, held on August 26th, 2025.

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

September 30, 2025
DATE