

ITEM 5a

**REGULAR MEETING #720
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES
REGULAR MEETING 6:00 PM
Tuesday, September 30, 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:	Misher, Lurner, Seidensticker and Champlain
Staff:	Manager Russell, Karen Morris
Absent:	McNulty
Agents:	None
Contractors/Consultants:	Robert Stabenow, Allied Universal Security
Guest Attendees:	None

4. PUBLIC COMMENTS

The following three persons spoke as follows:

- Al Nederhood, running for election to CSDA
- Paul Mesmer, running for election to ISDOC
- Jim Fisler, running for election to OC LAFCO

5. APPROVAL OF MINUTES

a. Meeting #719 of August 26, 2025

Motion was made by Director Champlain, seconded by Director Lurner, and approved 4-0-1 (McNulty absent) to accept the minutes of meeting #719 of August 26, 2025.

6. TRASH ENCLOSURE PROPOSAL

a. Nancy and Dick Sabo/35441 Beach Road

After Manager Russell's presentation, the Board took the following action:

MOTION was made by Director Lurner, seconded by Director Champlain and voted 4-0-1 to tentatively approve the proposed trash enclosure improvement, *pending consent by the adjacent neighbor to the north and secondly, pending clarification by the applicant regarding their variance request.*

7. SHORELINE COMMITTEE

a. Miller CDP application/Plan Check Progress

The City returned the application package for a fourth round of plancheck corrections. There are very minor revisions and the application is expected to be resubmitted to the City by Wednesday, 10/2/25. The Committee has been given a Planning Commission hearing date of November 10th, 2025.

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b. Susan McCabe Evaluation of Miller CDP Application

Bill Fox, speaking for the Shoreline Committee, reported that they had engaged with Susan McCabe to review and evaluate the strategy being promoted by their counsel, Stan Lamport, and report on her findings. The Committee reviewed McCabe's report which supported Counsel's strategy and approved the report at the Committee meeting on September 23rd.

c. South Orange County Beach Coalition/Memorandum of Understanding

The MOU has been reviewed and approved by Stan Lamport who opined that the MOU is non-binding, has no fees, no dues nor other financial component, it gives the District voting status and allows the District a seat at the table to promote and advance our position that the main cause of beach sand loss is due to a lack of sand and sediment washing out of the San Juan Creek watershed, as a direct result of implementation of the requirements of the Federal Clean Water Act. After discussion, the Board acted as follows:

MOTION was made by Director Lurner, seconded by Director Misher and voted 4-0-1 to authorize the Board President, the District Manager and Counsel Stan Lamport to execute the South Orange County Beach Coalition MOU.

8. SECURITY REPORT

a. Security Monthly Report for Aug/Sept 2025

- the Board requested reflectors be placed at all of the new speed bumps
- Manager Russell and PC Stabenow will be meeting with AUS and HELIAUS to learn further about the reporting system so patrol information can be more clearly provided for Directors and interested homeowners about time and location of patrol officers and events or incidents taking place.

b. Vacant Lot Signage

The NO TRESPASSING and NO CLIMBING ON ROCKS sign were delivered last Friday and will be installed next week after the sealcoating project is complete. These signs will be posted on the District's vacant lot at 35071 Beach Road.

9. FINANCE

a. Monthly Financial Report through August 2025

The report was received and filed with no discussion

10. OLD BUSINESS

a. Roadway Sealcoating Project

With the weather cooperating, sealcoating was allowed to proceed with no postponement.

b. Disaster Preparedness Plan

At this stage, the District is urging homeowners to go online and sign up for the *AlertOC Mass Notification System* at www.alertOC.org. This is by far the single most useful tool for preparedness.

c. Storm Drain No. 1 Ownership

Manager Russell explained that the current file with deeds and documents is missing certain documents that demonstrate chain of title to whomever is the current title holder and requires further research. Homeowner Bill Fox pointed out there should be or should've been an ALTA survey that would address the chain of title matter.

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11. NEW BUSINESS

There was no new business

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

There were no new issues

13. WRITTEN COMMUNICATIONS

There were no communications

14. BOARD AND STAFF COMMENTS

Director Seidensticker reminded staff to keep up with the Manager's job description and to schedule a closed session to discuss personnel policy matters

ADJOURNMENT: Manager Russell adjourned the meeting at 7:19 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 a *DRAFT* copy of the Minutes of Meeting #720, held on September 30th, 2025

Donal S. Russell

October 3, 2025

DONAL S. RUSSELL, Manager
Capistrano Bay Community Services District

DATE